PARL. PAPERS
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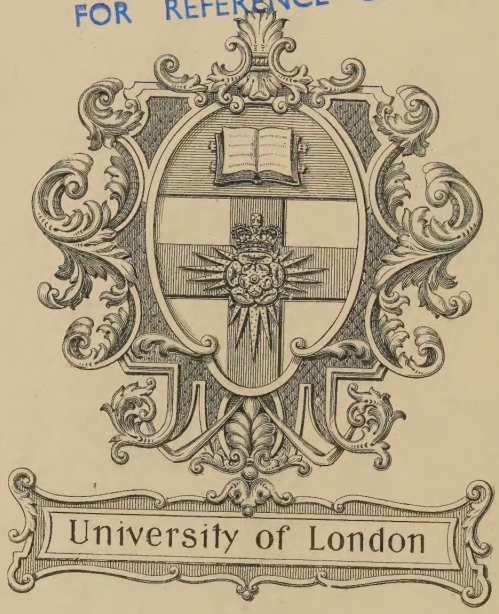

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PAPERS

Relating to Persons sent from GIBRALTAR to CADIZ:

64

VIZ.

1.—Extract of a LETTER from Earl *Bathurst* to Major General *Smith*; dated War Department, 24th July 1814.

2.—Extract of a DISPATCH from Major General *Smith* to Earl *Bathurst*; dated Gibraltar, 31st Auguſt 1814:—(Two Enclosures.)

—1.—

Extract of a LETTER from the Earl *Bathurst* to Major General *Smith*; dated War Department, 24th July 1814.

"IT has been represented to me, that you have delivered up to the Governor of Cadiz, certain Persons, subjects of His Catholic Majesty, on the requisition of the Governor, without any previous communication with His Majesty's Ambassador at the Court of Madrid: It is further stated, that these persons were not charged with having committed murder, or any other atrocious crime; but that the only reason alledged for your being required to give them up, was, that they opposed the political system which the Spanish Government have thought proper to adopt, since the return of King FERDINAND the VIIth to Madrid.

"I am unwilling to believe that this representation is correct; but as there may be some foundation for it, I must desire that you will furnish me with any correspondence which may have passed between you and the Governor of Cadiz, or any Agent of the Spanish Government, upon this subject.

"That you may not be misled at any time by the urgency with which it is possible similar requisitions may be made to you, I have received the commands of His Royal Highness The Prince Regent, that you uniformly decline giving up to the Spanish Government any person who may have taken refuge in Gibraltar, without a previous communication with His Majesty's Ambassador at the Court of Madrid."

—2.—

Extract of a DISPATCH from Major General *Smith* to the Earl *Bathurst*; dated Gibraltar, 31st August 1814.

"I HAVE the honour to acknowledge the receipt of Your Lordship's Dispatch of the 24th of July; and, in answer to Your Lordship's desire, I beg to state, that on the 18th of May last, I received from His Majesty's Consul at Cadiz, Sir James Duff, the enclosed Letter, and likewise another from His Excellency Don Juan Villavicencio, Governor of Cadiz, and Captain General of the Province.

No 1.
No 2.

"A short time after the receipt of the Letters, a report was made to me that two persons answering the description, had by fictitious names, made their way into the place, without my knowledge or permission, and contrary to the Standing Orders of the

the Garrison; in consequence, I gave orders for their immediate arrest, and they were discovered and taken up in the course of a few hours; they proved to be two of the persons pointed out in the Letters from Sir James Duff, and the Governor, named Don Diego Carrea, and Don Antonio Puigblanc.

" I detained them until the morning, and directed a Letter to be written to Sir James Duff, informing him of their arrest; in the mean time, upon the Spanish Consul's claiming their persons as Spanish subjects, they were given up, and forwarded by him to Spain.

" I must now, my Lord, beg leave to explain my motives for so doing.

" In February last, my predecessor, Lieutenant General Campbell, received a similar application from the Governor of Ceuta, to secure four State prisoners, who had escaped from that Fortress, should they have taken refuge in Gibraltar; they were apprehended and immediately sent back to Ceuta.

" Having been but a few weeks in command of this Fortress, and not being aware of any specific Instructions from Government on the point in question, I was induced to act from the example above alluded to, and to adhere to a practice which appeared to have been reciprocally observed; for the Constituted Authorities in the neighbouring parts, have on all occasions immediately attended to such requisitions from this Government, nor could I trace any instance to the contrary, on either side.

" These considerations will, I trust, account satisfactorily to Your Lordship, for my compliance with the very strong application made to me by the Governor of Cadiz, and remove any uneasiness that it may have occasioned.

" I beg to assure Your Lordship, that the Instructions which you are now pleased to communicate to me, will be strictly complied with; as it is my most anxious desire to fulfil the instructions and wishes of Government, that my conduct, while I have the honour to hold this important command, may merit the approbation of His Majesty's Ministers."

(Enclosure N° 1, in Major General Smith's, of 31st August 1814.)

Copy.—Private.

Cadiz, 16th May 1814.

SIR,

I BEG you to acquaint His Excellency the Commanding Officer, under due reserve, that the following Persons have either left or are about to leave this, for Gibraltar, in consequence of the late change of politics; that His Excellency, informed of their principles, may decide what he may judge best with respect to their residence in this Garrison.

D[n] Miguel Cabrera, the Author of several Publications inserted in the *Duende* against the King of Spain, and of a very late one, exciting the Inhabitants of this City to revolt against the Governor and Civil Authorities, &c.

D[n] Antonio Puigblanc, the Author of the *Inquisition sin Mascara*, and of various other Papers, and a friend and companion of the former. These two persons are provided with a passport from General Valdes, endorsed by me.

Lopez, the Author of the *Duende*, the paper in which the repeated calumnies against the British Troops on their entrance into St. Sebastian, and of many other scurrilous productions, appeared. Correa, formerly an Officer in the Spanish service, the Author of similar publications, and supporter of the *Duende*, &c.; and it is probable they may be followed by other persons of the same description.

I have the honour to be, &c. &c.

J. Stedman, Esq.
Secretary, Gibraltar.

(Signed) JAMES DUFF.

(Enclosure N° 2, in Major General Smith's, of 31st August 1814.)

Translation.

YOUR EXCELLENCY,

BY a Royal Order of the 4th instant, dispatched from Valencia, His Majesty FERDINAND the VIIth, has been pleased to confer upon me the most ample faculties of Captain General of the Marine Department of Cadiz, Civil and Military Governor of the same, and of that Fortress. It being my duty to fulfil with the greatest punctuality and exactitude the Instructions with which I am furnished, possessing information that there were in that City certain troublesome persons, who, removed to any other place, may prove of infinite prejudice, not only to the Nation, but also to the interest of the Town where they reside, as they cannot live by any other means than committing excesses and sowing discords, by their Writings and Conversations, which poison steals insensibly to the hearts of incautious persons; I request Your Excellency, that if it should happen, that any of these men, such as Don Diego Carrea, one Cabrea, Puigblanc, one Aldama, and other similar characters, knowing their perfidy, their crime, and fearing justly the punishment they deserve, should pass to your Garrison, although with passports from a legal authority, Your Excellency will be pleased, for the benefit that must inevitably result from it, to prevent that such turbulent characters, such pests of society, remain at liberty in the place, delivering them over for the disposal of the Commandant General of the Camp of Gibraltar, or send them direct to Cadiz, where I expect to be tomorrow; with the assurance that in doing so, Your Excellency will render an essential service both to your Nation and mine.

I avail myself of this opportunity to assure Your Excellency of my desires to meet your wishes. May God, &c. &c. &c.—Port St. Maria, 16th May 1814.

Your obedient and devoted Servant,

(Signed) JUAN VILLAVICENCIO.

PAPERS

Relating to Persons sent from GIBRALTAR to CADIZ.

Ordered, by The House of Commons, *to be printed,*
29 *November* 1814.

II.

FURTHER PAPERS

Relating to Persons sent from GIBRALTAR to CADIZ:

VIZ.

N° 1.—Copy of a DISPATCH from Earl *Bathurst* to Sir *James Duff*; dated 29 November 1814.

N° 2.—Copy of a DISPATCH from Sir *James Duff* to Earl *Bathurst*; dated Cadiz, 23 December 1814: With an Enclosure.

N° 3.—Copy of a DISPATCH from Sir *James Duff* to Earl *Bathurst*; dated Cadiz, December 27, 1814: With Seven Enclosures.

— No. 1. —

Copy of a DISPATCH from Earl *Bathurst* to Sir *James Duff*; dated 29th November 1814.

Foreign Office, November 29th, 1814.

SIR,

IT having been represented to His Majesty's Government, that you have directed the Masters of all British Merchant Vessels touching at Cadiz, not to depart from that Port with any Spanish subjects on board, unless such Spanish subjects should be provided with your passport, or with one from the Government of Spain; I am to request that you will acquaint me how far this is founded on fact: And by the same opportunity, I desire that you will report to me, for the information of His Majesty's Government, the steps that you were induced to take, during last summer, respecting the Spanish subjects who had taken refuge in Gibraltar, and whom you desired the Lieutenant-Governor not to suffer to remain in that Garrison.

(Signed) BATHURST.

Sir *James Duff*.

— No. 2. —

Copy of a DISPATCH from Sir *James Duff* to Earl *Bathurst*; dated Cadiz, 23 December 1814.

Cadiz, 23 December 1814.

MY LORD,

I HAVE this post received, viâ Madrid, Your Lordship's Dispatch of the 29th November.

In compliance with the commands Your Lordship is therein pleased to signify to me, from His Majesty's Government, I beg leave to represent to Your Lordship;

* Vide Appendix, in the next page.

That, in virtue of the * Orders of His Majesty's Government, it has been the practice at this Port, since June 1813, to allow no Aliens to go passengers in British Merchant Vessels or Packets, to any of His Majesty's Dominions, unless provided with proper Passports, sanctioned by His Majesty's Ambassador whilst he

resided there, and since then by me; and that, to prevent the possibility of any evasion, British subjects were requested to conform to that regulation, which is still continued; and I should add, that, for a long time past, in virtue, no doubt, of orders to that effect, no Bills of Health are issued at this Port to any persons going passengers in British Vessels, to whatever destination it may be, without producing a certificate from this Office of their having exhibited their respective Passports; and which is the case with all the other Foreign Consuls.

Under such circumstances, and at the request of the Governor of this City, I renewed that order; which always comprehended Spanish subjects, as well as every other Foreigner; and I did so in the persuasion it would not be disapproved.

And in further obedience to said commands, I have the honour to state to Your Lordship, that in May last, I acquainted the Commander of His Majesty's Troops at Gibraltar, that certain persons, whose names and public characters I indicated, were about to pass to that Garrison; and that I was induced to do so, from zeal for His Majesty's Service, those persons having generally shown themselves the declared enemies of Great Britain, and of the British name.

I trust this Exposition may be satisfactory to His Majesty's Government; and that Your Lordship will be convinced that I have in that, as in every other case, acted for the best.

I have the honour to be, &c.

The Earl of *Bathurst*, &c. &c. &c. (Signed) JAMES DUFF.

(Appendix: Enclosure N° 2. Copy of a Letter from *J. H. Addington*, Esq. to *Edward Cooke*, Esquire; dated May 4th, 1813.)

Whitehall, 4th May 1813.

SIR,

IN order to prevent, as far as may be practicable, the introduction from the Continent, of Aliens of suspicious character into this Country and its dependencies, it appears to Lord Sidmouth desirable, that instructions should be given to His Majesty's Ministers at Foreign Courts, and to the British Consuls and Agents on the Continent, to require, that such persons as may propose to embark for any part of the British Dominions, should, in the first instance, apply to them to be furnished with Passports for that purpose; and his Lordship is also of opinion that, in all cases, when either the character of the person applying for such Passport, or the object which he has in view, may be objectionable, it would be expedient to refuse it. As such a measure might be attended with advantage to the public service, it appears to his Lordship, that steps should, without delay, be taken by His Majesty's Ministers and Consuls abroad to make this regulation known in the most public manner; in order that it may be observed, and executed with the least inconvenience to the parties to whom it is to be applied.

Lord Sidmouth has further directed me to request, that you will submit these suggestions to Lord Castlereagh, and move his Lordship, if they should meet with his concurrence, to give the necessary instructions accordingly.

I am, &c.

E. Cooke, Esquire, &c. &c. &c. (Signed) J. H. ADDINGTON.

[N. B.—A printed Copy of this Letter was forwarded on the 6th of May 1813, from the Foreign Office, to all His Majesty's Consuls in Foreign Countries, for their guidance.]

—No. 3.—

Copy of a DISPATCH from Sir *James Duff* to Earl *Bathurst*; dated Cadiz, December 27, 1814: With Seven Enclosures.

MY LORD, Cadiz, 27 December 1814.

I HAD the honour to address Your Lordship last post, the 23d instant, in answer to your letter of the 29th November; and in support of what, in obedience to Your commands, I had then the honour to state, I wait on Your Lordship now with Copies of the Correspondence between the Civil Secretary at Gibraltar and me, in May last, for the further information of His Majesty's Government; and I shall be happy to know, that my conduct in that instance may meet its sanction.

I have the honour to be, &c.

The Earl of *Bathurst*, &c. &c. &c. (Signed) JAMES DUFF.

Copy.—Private.

(Enclosure N° 1.—Copy of a DISPATCH from Sir *James Duff* to Mr. *Stedman*; dated Cadiz, 16 May 1814.)

SIR, Cadiz, 16th May 1814.

I BEG to acquaint his Excellency the Commanding Officer, under due reserve, that the following persons have either left, or are about to leave this, for Gibraltar, in consequence of the late change of politics; that his Excellency, informed of their principles, may decide what he may judge best, with respect to their residence in the Garrison:

Don Miguel Cabrera, the author of several publications, inserted in the "*Duende*," against the King of Spain, and of a very late one, exciting the Inhabitants of this City to revolt against the Governor and Civil Authorities, &c.

Don Antonio Puigblanc, the Author of the "*Inquisicion sin Mascara*," and of various other Papers, and a friend and companion of the former; these two persons are provided with a passport from General Valdes, endorsed by me.

Lopez, the Author of the "*Duende*," the paper in which the repeated calumnies against the British Troops on their entrance into St. Sebastian, and of many other scurrilous productions, appeared.

Correa, formerly an Officer in the Spanish service, the Author of similar publications, and supporter of the "*Duende*," &c.:—And it is probable they may be followed by other persons of the same description.

I have the honour to be, &c.

John Stedman, Esq. Secretary, Gibraltar. (Signed) JAMES DUFF.

(Enclosure N° 2, in Sir *James Duff*'s, No. 3. of 27th December 1814.)

Copy.—Secret.

Gibraltar, 19th May 1814.

SIR,

I HAD the honour to receive your letter of the 16th last night, and immediately laid it before the Commander of the Forces, who promptly issued orders for the apprehension of the persons named; and I am happy to inform you that in less than two hours Don Antonio Puigblanc and Diego Correa were made prisoners. I request therefore that you will have the goodness to communicate the same to the Governor at Cadiz, and to beg that persons duly authorized may be sent to receive them into their custody; or if it should not be the wish of the Spanish Government to detain them, the Commander of the Forces will forthwith exclude them from the garrison. The Commander of the Forces is anxious however for a speedy decision.

 I have

I have received some information relative to Lopez and Don Miguel Cabrera; and if they are here, I trust they will soon be discovered. I am to inform you that measures are taken to discover and apprehend any other persons of a similar description.

I have the honour to be, &c.

(Signed) J. STEDMAN,
Secretary.

Sir *James Duff*, &c. &c. &c.
Cadiz.

(Copy, Enclosure N° 3, in Sir *James Duff*'s, No. 3, of 27th December 1814.)

Secretary's Office, Gibraltar, May 19th, 1814.

SIR,

I AM directed by the Commanders of the Forces to inform you, that in compliance with your request, he has given directions that the two Spanish subjects, Puigblanc and Correa, shall be delivered up to you.

They were arrested last night, having entered this garrison under fictitious names; and not having given a satisfactory account of themselves this morning, the Commander of the Forces has not thought it proper to release till now, when he considers you responsible for their future conduct in the garrison.

The General thinks it right to inform you, that he dispatched a letter this morning, informing the Government of your Country that Puigblanc and Correa are in custody here.

Puigblanc is the author of the "Inquisicion sin Mascara," and of many other papers. Correa was formerly an officer in the Spanish army, and is the author of many scurrilous publications, and also the supporter of the "Duende."

I have the honour to be, &c.

(Signed) J. STEDMAN,
Civil Secretary.

Don *A. F. de Urrutia*, Spanish Consul,
&c. &c. &c.

(Enclosure N° 4. in Sir *James Duff*'s, No. 3. of 27th December 1814.)

Translation of a LETTER from Señor *A. F. de Urrutia*, Spanish Consul at Gibraltar, to the Lieutenant Governor of that Fortress; dated Gibraltar, May the 9th, 1814.

MOST EXCELLENT SIR,

HAVING learnt that two Spaniards, of the names of Puigblanc and Correa, are in custody at the main guard, I feel it to be my duty, to entreat Your Excellency to acquaint me if they have committed any fault; in which case I request you will have the goodness to deliver them up to me, that they may be sent to Spain, in order to receive the punishment which they may deserve.

I have the honour to be, &c.

To (Signed) P. A. F. de URRUTIA.
Spanish Consul.

The Lieutenant Governor of Gibraltar,
&c. &c. &c.

(Enclosure N° 5, in Sir *James Duff*'s, No. 3, of 27th December 1814.)

Copy.—Secret.

Cadiz, 24th May 1814.

SIR,

I HAVE received the honour of your Letter of the 19th instant, and have communicated the same to the Captain General; who expresses himself much indebted for the precautions taken, and requests me to inform his Excellency the Commander in Chief, that he will have the honour to communicate to his Excellency on that subject, and that he will commission an Officer to that effect.

I have the honour to be, &c.

(Signed) JA^s DUFF.

J. Stedman, Esq. Sec^y.
&c. &c. &c.

(Copy)

(Enclosure N° 6. in Sir *James Duff*'s, No. 3, 27th December 1814.)

(Copy.)

Gibraltar, 23d May 1814.

SIR,

I HAVE the honour to enclose you a Copy of the Letters received by the Commander of the Forces, from the Spanish Consul here, and to inform you, that Don Antonio Puigblanc and Diego Correa, were delivered over to the Spanish Consul on the 20th Instant.

I have, &c.

Sir *James Duff*,
&c. &c. &c.
Cadiz.

(Signed) J. STEDMAN,
Civil Secretary.

(Enclosure N° 7. in Sir *James Duff*'s, No. 3, of 27th December 1814.)

(Copy.)

British Consular Office, Cadiz, 27 May 1814.

SIR,

I HAVE the honor to acknowledge the receipt of your Letter of the 23d instant, with an Enclosure; which I have made known to the Captain General, by whom I am requested to express to His Excellency the Commander of the Forces, his thanks for His Excellency's attention.

I have, &c.

J. Stedman, Esq.
Secretary,
Gibraltar.

(Signed)
for SIR JAMES DUFF,
H. M. Consul.
Andrew Archdekin.

II.

FURTHER PAPERS

Relating to Persons sent from GIBRALTAR to CADIZ

VIZ.

N° 1.—Copy of a DISPATCH from Earl *Bathurst* to Sir *James Duff*; dated 29 November 1814.

N° 2.—Copy of a DISPATCH from Sir *James Duff* to Earl *Bathurst*; dated Cadiz, 23 December 1814: With an Enclosure.

N° 3.—Copy of a DISPATCH from Sir *James Duff* to Earl *Bathurst*; dated Cadiz, December 27, 1814: With Seven Enclosures.

Ordered, by The House of Commons, *to be printed,*
14 *February* 1815.

PAPERS

Relating to Gibraltar and Spain:

VIZ.

(1.)—Copy of a DISPATCH from The Duke of Portland to Lieutenant General Rainsford; dated Whitehall, 4th March 1795.

Whitehall, 4th March 1795.

SIR,

I HAVE received, and laid before The King, your Letter of the 15th of January, in which you inform me, that you have established the Convention which formerly subsisted with the *Spanish* Government for the restitution of Deserters; and that in compliance with the proposal of the Count de las Lomas, it has been extended to Smugglers and Offenders of all descriptions: And I have it in command to acquaint you, that His Majesty entirely approves of your conduct in taking a step, so likely to promote harmony between the two Countries; and that He relies with confidence upon your zeal and discretion to execute your part of it, with the utmost fidelity and good faith.

I am, &c.

(Signed) PORTLAND.

To Lieut. General *Rainsford*,
&c. &c. &c.
Gibraltar.

(Copy.)

(2.)—AGREEMENT between Lieut. General Rainsford and Count De las Lomas; 4th October 1794.

AGREEMENT made between Charles Rainsford, Esquire, Lieutenant General of His *Britannick* Majesty's Forces, and temporary Commander in Chief of the Garrison of *Gibraltar*, and his Excellency the Count De las Lomas, Lieutenant General of those of His *Catholic* Majesty, and Commander in Chief of the Camp of *Gibraltar* and its District; upon the following Points, for promoting the Service of our Royal Sovereigns.

DESERTERS from the Army and Navy shall mutually be returned; and likewise Smugglers and Fugitives, with their Arms, and all Effects found upon them; under the express condition, that they shall not suffer capital nor corporal Punishment, except those guilty of such enormous Crimes, as subject them to banishment or the gallies.

No more Tobacco shall be admitted into the Garrison, but what is sufficient for the consumption of its Inhabitants, the produce of England or America. And Brazil Tobacco, shall be absolutely prohibited; also the Tobacconists shall be forbidden, under severe penalties, from selling it in large quantities. The Patrons of Vessels shall carry no more than what is necessary for the use of their Crews upon the voyage, giving security under penalty of one thousand Dollars.

And the Governor will use every other means in his power to prevent the smuggling Tobacco of any species, to the injury of His Catholic Majesty's Customs.

The Passage of Mails and Expresses by land in the present form is confirmed.

Some of the Officers of the Garrison shall be permitted to pass the Lines with the Governor's Permit; but this liberty will not be granted to any class of Inhabitants.

(Signed)

El Conde De las Lomas.

Counterpart,

(Signed) Cha^{s} Rainsford.

4th October 1794.

PAPERS

RELATING TO

GIBRALTAR AND SPAIN:

VIZ.

(1.)—Copy of a Dispatch from the Duke of PORTLAND to Lieut. General RAINSFORD; dated Whitehall, 4th March 1795.

(2.)—Copy of Agreement between Lieut. General RAINSFORD and Count De las LOMAS; 4th October 1794.

Ordered, by The House of Commons, *to be Printed,*
28 *February* 1815.

GIBRALTAR.

ACCOUNTS RELATING TO THE OFFICES AND REVENUES OF GIBRALTAR:

VIZ.

N° 1.—Return of the number and nature of the Offices and Establishments, in the garrison and territories of Gibraltar, paid from its Revenues; for the Year 1800; as far as the same can be made out.

N° 2.—Return of the number and nature of Offices and Establishments, in the garrison and territories of Gibraltar, paid from its Revenues; for the Year 1818.

N° 3.—Return of the total Amount of Revenues collected in the garrison and territory of Gibraltar, as Crown Revenues; from 1760 to 1820.

N° 4.—Return of all Taxes and Duties levied within the fortress and territory of Gibraltar, and also of all Port Duties and Charges on watering Ships of every description, for Mediterranean passes, or from any other Persons visiting or residing within the Garrison; for the Year 1818.

Ordered, by The House of Commons, *to be Printed,*
22 *February* 1821.

—No. 1.—

RETURN of the number and nature of the Offices and Establishments in the garrison and territories of Gibraltar, paid from its Revenues, for the year 1800; as far as the same can be made out.

John Tirel Morin, Esq. Receiver General.

DEBTOR.

Duties on Wines - - - - - - - - - $	26,353 7 11		
Ditto - Spirits - - - - - - - - - -	6,705 10 —		
		$	33,059 5 11
Duties on Jews Wine and Brandy - - - - - -	- - -		733 4 —
Rents of King's Houses and Ground Rents - - - -	- - -		3,466 3 —
		$	37,259 — 11

CREDITOR.

REVENUE OFFICERS:			
12 months pay to the Receiver General - - - $	1,216 11 5		
— - - - - - Collector - - - - - -	405 7 12		
— - - - - - Inspector - - - - - -	405 7 12		
— - - - - - Deputy Inspector - - - -	162 3 1		
		$	2,190 5 14
CIVIL COURT:			
12 months pay to the Judge Civil Court - - - -	811 3 8		
— - - - - - Clerk of Arraigns - - - -	405 7 12		
— - - - - - Marshal - - - - - -	101 4 14		
			1,318 4 2
STAFF OFFICERS:			
To the Governor of the Garrison, per annum, £. 500 - -			
- - Ditto - - - extra Allowance £ 1,400 - -	7,707 3 11		
Lieut. Governor, per day 20*s*. - - - - - -	1,480 1 13		
Chief Engineer, per day 30*s*. - - - - - -	2,220 2 12		
			11,407 8 4
Keeping in repair the Church, Aqueduct, Common Sewers, Drains, Quays, Wharfs, the Prison for the Inhabitants, and the Civil Officers Quarters - - - - - - -	- - -		7,544 8 11
		$	22,461 2 15
BALANCE - - - -			14,797 9 12
		$	37,259 — 11

HENRY LEWIS WICKHAM,
Rec[r] Gen[l].

16 August 1820.

—No. 2.—

RETURN of the number and nature of Offices and Establishments in the garrison and territories of Gibraltar, paid from its Revenues, with the amount of Salaries and Payments to each, and amount of Emoluments and Fees received by each, over and above their salaries in the year 1818.

REVENUE OFFICERS:

Receiver General - - p' annum £. 300 sterling, and a public quarter; and a guaging fee of 4rs/14 qurs upon each pipe of wine, and one quart upon each gallon of spirits, used in winehouses and taverns.	This officer is the head of the department: from his office are issued all permits for landing, removing, &c. all wines and spirits; to him the inspector reports all irregularities; the collector pays him weekly the amount of his collections; and the expenditure is entirely carried on through his hands.

The personal guaging fee was fixed by H. M. order in council, dated 10th March 1752, and confirmed by that of 3d May 1809; it amounted in 1818, to £. 126.
When absent, he is himself at the charge of paying his deputy.

First Clerk - $2 p' day, and $9. 4rs p' mo. rent allowance. Second Clerk - $1. 8rs p' day, and $8. - ditto.	Treasury Minute, 17th July 1810.
Master Porter and Clerk of Porter - - each $1 p' day, and $5 4rs p' mo. rent allowance.	Treasury minute, 17th July 1810. The duty of these officers is to see all wines and spirits, subject to duty, removed in strict conformity to the permits issued from the receiver general's office.
Public Weighman - - $1 p' day.	King's warrant, 4th October 1811.
Collector of Revenues - - p' annum £. 500 stg, and a public quarter.	
1st Clerk - - $1. 8. p' day.	Treasury minute, 17th July 1810.
2d Clerk - - $1. 6. —	Lt. Governor's warrant, 28th August 1810.
Inspector of Revenues - - p' annum £. 300 stg, and a public quarter.	
Deputy Inspector - - $1. 4. p' day, and a public quarter.	Treasury minute, 17th July 1810.
5 Assistant Deputy Inspectors - - each $1. 2. p' day, and $6. 8rs p' month rent allowance.	
King's Guager - - p' annum $533. 4rs, and $8 p' month rent allowance.	King's Warrant, 4th October 1811. The duties of these officers is as follows; all spirits landed are deposited under King's lock, in charge of the Inspector, who admits of no consumption in the retail stores, but by permits returned through his assistants, in whose presence they are executed; the dealers account to him for their consumption; it is his business to suppress all distilleries, stores, and houses of resort not duly licensed, and to see that every duty licence, or fee is credited; his deputy is generally stationed at the wharf to superintend the landing and shipping of spirits; the assistants are at the several gates to prevent clandestine introduction, &c. &c.

The Receiver General, Collector, and Inspector, jointly sign the annual account.

PRATIQUE DEPARTMENT:

Captain of the Port - - p' annum £. 800 stg, and a public quarter. Deputy Pratique Master - - p' day $2. Assistant - Ditto - - - - - ,, 2. Clerk - - - - - - - - - ,, 1.; and $16 p' mo. rent allowance each.	Treasury minute, 17 July 1810. This establishment is the same which existed at the time that the pratique fees were first paid over to the revenue, excepting that the three individuals were then called "Assistant Pratique Master, First and Second Clerks." It being often necessary to send the 1st clerk to visit vessels, it was found expedient to give him more respectability, by denominating him "Assistant Pratique Master," and give the name of Deputy to the other. No alteration was, however, made in the salaries till 1813; when, at the recommendation of the Board of Health, the General made a small addition to the salaries of the assistant and clerk, which puts them on a footing with the clerk of the Receiver General, except with regard to the rent allowance, which is somewhat higher; because, being obliged to quarter themselves near the office, they must have lodgings in the dearest part of the town.
Three Boats Crews, consisting of 2 coxswains, at $1 p' day each, 15 boatmen, at 8rs p' day each; lodgings are hired for them, and they receive yearly a suit of clothing.	
An armed quarantine guard vessel is hired - - - at $13. 4rs p' day.	Formerly a charge against the public in the Governor's contingent account.

CIVIL SECRETARY'S ESTABLISHMENT:

Civil Secretary to the Governor - p' ann. £. 1200 stg, and a public quarter.	This salary is in lieu of all fees and perquisites formerly received by that officer as civil secretary and register of the superior court.
First Clerk - - $2. 8rs p' day, and $8 p' month rent allowance.	
Second Clerk - - $1. 4rs p' day, and $6. 8rs p' month rent allowance.	
Third Clerk - - at the same rate (vacant.)	

COURT OF CIVIL PLEAS:

Judge of the Court of Civil Pleas - p' ann. £. 800 stg, and a public quarter.	Established by charter, dated 12th May 1817.
Clerk of Arraigns - - £. 100 stg p' annum, and a public quarter.	
Registrar; the sixth of the fees.	
Marshal of the Court and Public Quarter. He receives, besides, nothing except his personal fees, for services performed by him.	Local authorities, founded on directions received from the secretary of state.
Deputy Marshal and Gaoler - - £. 25 p' annum, and a public quarter.	
A Clerk - - per day $ 1. 6.	

SMALL DEBT COURT, AND SITTING MAGISTRATES OFFICE:

A Clerk - - p' day $ 2.	Established by charter, of 12th May 1817. The fees being very small, and in all cases of poverty remitted, they are not sufficient to cover the whole of the expense; the excess, therefore, is paid by the revenues.
A Constable - - p' day, $ 1.	

STAFF AND OTHER OFFICERS PAID FROM THE REVENUE:

Allowance to the Governor - - £. 2,800 p' annum.	This allowance was only £. 1,400, till, by warrant of 31st December 1802, H. M. granted H. R. H. the Duke of Kent a further allowance of £. 1,400; the two sums, however, have not been consolidated.
Lieut. Governor - - p' day 20 s.	Since 1768; King's warrant.
Officer commanding the Garrison - p' ann. £. 3,500 stg	King's warrant, since 1810. This is in lieu of all fees and perquisites formerly received by him.
Deputy Judge Advocate - - p' annum £. 1,000 stg.	Since 1817 as His Majesty's principal law officer, and one of the judges of the court of appeal. King's warrant (not received.)
Chief Engineer - - p' day 30 s.	Since 1770; King's warrant. Origin not known, but supposed to have been an allowance in lieu of some of the fosses.
Town Major - - p' day 5 s.	King's warrant, as head of the police.
Inspector of Health - - p' day 20 s.	This is generally the chief medical officer, who, when he holds that appointment, visits vessels before they are admitted to Pratique, or concurs in establishing the quarantine. This officer was formerly paid out of the personal anchorage fees.
Commissioners of Accounts - - p' day 10 s.	King's warrant (not received,) as auditor of revenues since 1810.
Translator and Interpreter of the Spanish language at head quarters - - p' day 5 s.	This appointment confirmed by the secretary of state, dated from 8th January 1814.
Town Adjutant - - p' day 5 s.	As supervisor of markets till 1817. This allowance was charged to the extraordinaries.
Translator of Languages - - £. 70 p' annum, and $ 8 p' mo. rent allowance.	An old appointment; his duty is to act, when required, as interpreter at quarter sessions, court martial, &c.; 1817, it was charged to the extraordinaries.

MISCELLANEOUS EXPENDITURE:

Keeping in repair the English church, aqueduct, drains, common sewers, the prison for the inhabitants, the court-houses, auction rooms, revenue offices, revenue officers quarters, the quarters and public furniture for the governor or officer commanding the garrison.	King's warrant, 15th August 1753. Besides these repairs, the house for the captain of the port, one for the inspector of revenues, another for the clerk of arraigns, two auction rooms, and the new court houses have been lately erected at the expense of the revenue.
One moiety of the expenses for lighting the town.	Formerly the whole of this expense was defrayed out of the military chest; since June 1817, one moiety is defrayed by the inhabitants, who pay an assessed rate for the purpose, and the other half by the revenues.
Assessment on the revenue buildings.	This is annually paid by the commissioners for assessing the paving and scavenging rates, to which public as well as private buildings are subject.
Allowance to the King's messenger in lieu of forage.	Till 1807 charged in the governor's contingent account.
Allowance of £. 50 per ann. towards keeping the garrison library in repair.	Authority from the secretary of state.

16th August 1820.

HENRY LEWIS WICKHAM,
Receiver General of His Majesty's Revenues
at Gibraltar.

—No. 3.—

RETURN of the Yearly Amount of Revenues collected in this Garrison as Crown Revenues, from 1760 to 1819; specifying the Amount paid for discharging Garrison Expenses, and remitted to England.

PERIOD.		Receipts.			Garrison Expenses.			Remitted.			Total Expended and Remitted.		
		hard dollˢ.	rls.	qts.	hard dollˢ.	rls.	qts.	hard dollˢ.	rls.	qts.	hard dollˢ.	rls.	qts.
Between 1 January and 31 December -	1760	35,953	1	12	11,762	2	0	24,190	7	12	35,953	1	12
—— - - - - - - -	1761	38,953	5	14	6,786	6	8	32,166	7	6	38,953	5	14
—— - - - - - - -	1762	36,444	3	1	4,213	1	4	32,231	1	13	36,444	3	1
—— - - - - - - -	1763	27,802	0	5	8,173	2	11	19,628	5	10	27,802	0	5
—— - - - - - - -	1764	16,048	4	11	7,799	7	10	8,248	5	1	16,048	4	11
—— - - - - - - -	1765	17,330	2	5	15,044	3	7	2,285	6	14	17,330	2	5
Including a balance of $ 1,431. 5. 10. chargeable on the accounts of the succeeding year	1766	25,426	6	8	25,426	6	8	-	-	-	25,426	6	8
—— - - - - - - -	1767	24,237	6	12	18,184	3	10	6,053	3	2	24,237	6	12
—— - - - - - - -	1768	23,132	6	8	17,230	3	8	5,902	3	0	23,132	6	8
—— - - - - - - -	1769	21,766	4	10	17,521	7	10	4,244	9	0	21,766	4	10
—— - - - - - - -	1770	21,862	10	5	16,629	3	1	5,233	7	4	21,862	10	5
—— - - - - - - -	1771	23,704	0	11	21,158	3	10	2,545	9	1	23,704	0	11
—— - - - - - - -	1772	23,724	4	4	23,247	2	10	477	1	10	23,724	4	4
—— - - - - - - -	1773	23,826	4	4	23,396	0	2	430	4	2	23,826	4	4
—— - - - - - - -	1774	23,851	1	6	23,390	9	6	460	4	0	23,851	1	6
—— - - - - - - -	1775	24,924	10	15	24,444	10	15	480	0	0	24,924	10	15
—— - - - - - - -	1776	24,071	4	4	23,591	4	4	480	0	0	24,071	4	4
—— - - - - - - -	1777	23,938	9	6	23,514	3	14	424	5	8	23,938	9	6
—— - - - - - - -	1778	27,333	6	1	23,357	10	0	3,975	8	1	27,333	6	1
—— - - - - - - -	1779	32,571	10	10	21,109	9	13	11,462	0	13	32,571	10	10
—— - - - - - - -	1780	29,447	4	3	19,234	1	0	10,213	3	3	29,447	4	3
—— - - - - - - -	1781	28,219	8	10	18,731	10	15	9,487	9	11	28,219	8	10
—— - - - - - - -	1782	21,536	7	7	18,556	0	7	2,980	7	0	21,536	7	7
—— - - - - - - -	1783	28,335	4	6	18,673	10	1	9,661	6	5	28,335	4	6
—— - - - - - - -	1784	23,907	8	15	20,262	8	11	3,645	0	4	23,907	8	15
—— - - - - - - -	1785	24,376	5	5	23,257	7	5	1,118	10	0	24,376	5	5
—— - - - - - - -	1786	27,149	1	9	23,071	3	11	4,077	9	14	27,149	1	9
—— - - - - - - -	1787	28,251	10	4	21,574	4	7	6,677	5	13	28,251	10	4
—— - - - - - - -	1788	27,455	9	5	25,022	1	11	2,433	7	10	27,455	9	5
—— - - - - - - -	1789	32,074	10	0	29,166	3	8	2,908	6	8	32,074	10	0
—— - - - - - - -	1790	29,146	9	1	24,399	6	10	4,747	2	7	29,146	9	1
—— - - - - - - -	1791	28,570	8	13	25,887	1	2	2,683	7	11	28,570	8	13
—— - - - - - - -	1792	23,358	5	10	20,390	4	6	2,968	1	4	23,358	5	10
—— - - - - - - -	1793	24,504	5	9	23,928	7	5	575	10	4	24,504	5	9
—— - - - - - - -	1794	23,351	1	11	21,532	7	12	1,818	5	15	23,351	1	11
—— - - - - - - -	1795	24,510	2	1	16,522	1	2	7,988	0	15	24,510	2	1
—— - - - - - - -	1796	30,592	7	15	22,190	7	3	8,402	0	12	30,592	7	15
—— - - - - - - -	1797	41,083	9	9	27,603	3	2	13,480	6	7	41,083	9	9
—— - - - - - - -	1798	38,219	4	12	24,031	7	12	14,187	9	0	38,219	4	12
—— - - - - - - -	1799	39,470	7	8	23,172	3	9	16,298	3	15	39,470	7	8
—— - - - - - - -	1800	37,259	0	11	22,461	2	15	14,797	9	12	37,259	0	11
—— - - - - - - -	1801	34,128	1	8	22,001	9	10	12,126	3	14	34,128	1	8
—— - - - - - - -	1802	36,858	3	10	35,144	10	11	1,713	4	15	36,858	3	10
—— - - - - - - -	1803	37,259	9	7	37,259	9	7	-	-	-	37,259	9	7
—— - - - - - - -	1804	31,956	2	0	31,956	2	0	-	-	-	31,956	2	0
—— - - - - - - -	1805	37,349	5	12	36,558	11	15	790	5	13	37,349	5	12
—— - - - - - - -	1806	48,912	8	7	40,948	4	6	7,964	4	1	48,912	8	7
—— - - - - - - -	1807	68,668	4	14	47,803	8	2	20,864	8	12	68,668	4	14
—— - - - - - - -	1808	78,512	8	6	54,289	10	3	24,222	10	3	78,512	8	6
—— - - - - - - -	1809	95,507	11	15	56,228	8	5	39,279	3	10	95,507	11	15
—— - - - - - - -	1810	139,122	4	5	79,787	7	7	59,334	8	14	139,122	4	5
—— - - - - - - -	1811	154,583	5	14	79,890	2	5	74,693	3	9	154,583	5	14
—— - - - - - - -	1812	145,779	10	9	95,457	7	3	50,322	3	6	145,779	10	9
Between 1 January and 30 June - -	1813	66,752	10	0	47,192	0	1	19,560	9	15	66,752	10	0
Between 1 July and 31 December 1813, including a sum of $ 18,083. 6. 6. imprested by the Commissariat as a loan, and a balance of $ 988. 11. 12. chargeable on the accounts of the succeeding year - - -	,,	60,569	6	4	60,569	6	4	-	-	-	60,569	6	4
Between 1 January and 31 December -	1814	137,815	7	5	120,808	7	11	17,006	11	10	137,815	7	5
Between 1 January and 31 December, including a balance of $ 6,689. 8. 4. chargeable on the accounts of the succeeding year	1815	179,415	6	12	179,415	6	12	-	-	-	179,415	6	12
Between 1 January and 31 December -	1816	142,263	1	3	135,202	0	7	7,061	0	12	142,263	1	3
—— - - - - - - -	1817	135,989	3	10	97,571	10	4	38,417	5	6	135,989	3	10
Between 1 January and 30 June - - -	1818	62,460	6	11	56,722	9	9	5,737	9	2	62,460	6	11
Between 1 July and 31 December, including a balance of $ 3,546. 0. 1. chargeable on the accounts of the succeeding year - -		61,215	11	13	61,215	11	13	-	-	-	61,215	11	13
Between 1 January and 31 December, including a balance of $ 8,935. 7. 11. chargeable on the accounts for the year 1820 -	1819	117,483	1	0	117,483	1	0	-	-	-	117,483	1	0
TOTAL - - -		3,000,332	1	1	2,319,162	0	8	681,170	0	9	3,000,332	1	1

Receiver General's Office, Gibraltar, 19th June 1820.

HENRY LEWIS WICKHAM,
Receiver General.

—No. 4.—

RETURN OF DUTIES LEVIED IN GIBRALTAR IN THE - - - - -

SOURCES OF REVENUE.	PARTICULARS.	On Sales.	To Wine Houses. Per Pipe of 117 gallons.	To Taverns. Per Pipe of 117 gallons.	To Taverns, per gallon.
Auction Dues - - -	- - - - - - - - - - -	2 ½ p' c^t	—	—	—
Duties on Wines - -	Duty - - - - - - - - -	- -	H^{d}doll. rls. $ 10. 8.	H^{d}doll. rls. $ 10. 8.	—
	Licence - - - - - - - -	- -	2. 0.	—	—
	Commutation - - - - - - -	- -	- -	20 p' ann.	—
	Licence for House - - - - - -	- -	- -	1 p' day.	—
	Wharfage - - - - - - - -	- -	2 reals per pipe.		—
	Winehouse Licences sold at Public Auction annually.		—	—	—
	Licenced Eating Houses - - - -	- -	- -	- -	- -
	- - - Lodging Houses - - - -	- -	- -	- -	- -
	- - - Billiard Tables - - - -	- -	- -	H^{d}doll. 1 p' diem for each Table.	
Ditto on Spirits - -	- - - - - - - - - - -	- -	- -	- -	H^{d}doll. rls. $ 1. 2.
	Licence for distilling by Jews - - -	- -	- -	- -	- -
	Licenced Stores to retail Wines and Spirits -	- -	- -	- -	- -
	Storage on Spirits lodged in the King's Stores	- -	- -	- -	- -
Rents of King's Houses, and Ground Rents - -	- - - - - - - - - - -	- -	- -	- -	- -
Fees on Pratique or Anchorage of Vessels - -	Anchorage - - - - - - -	- -	- -	- -	- -
	Medical Visits - - - - - -	- -	- -	- -	- -
	Pratique Tickets - - - - - -	- -	- -	- -	- -
	Port Charges on Vessels sailing without taking Pratique.		—	—	—
	Quarantine Fees - - - - -	—	—	—	—
	Certificates under Seal of Office - - -	- -	- -	- -	- -
	Weighing Fees - - - - - -	—	—	—	—
	Gauging Fees - - - - - -	—	—	—	—
Fees on Documents issued from the Civil Secretary's Office - - - - -	Original Grant of Ground - - - -	- -	- -	- -	- -
	Copy of Ditto - - - - - -	- -	- -	- -	- -
	Transfer of Property - - - - -	- -	- -	- -	- -
	Mediterranean Passes - - - - -	- -	- -	- -	- -
	Renewing Ditto - - - - - -	- -	- -	- -	- -
	Bond, of whatever nature - - - -	- -	- -	- -	- -
	Marriage Licences for Protestants - -	- -	- -	- -	- -
	D° - - D° - - Hebrews - -	- -	- -	- -	- -
	Licences for Sworn Brokers - - -	- -	- -	- -	- -
	Tobacconists - - -	- -	- -	- -	- -
	Porters - - - -	- -	- -	- -	- -
	Labourers - - - -	- -	- -	- -	- -
	Trucks - - - -	- -	- -	- -	- -
	Hawkers and Pedlars - - -	- -	- -	- -	- -
	Stalls and Benches - - -	- -	- -	- -	- -
	Ferry Boats - - -	- -	- -	- -	- -
	Bum Boats - - -	- -	- -	- -	- -
	Fishing Boats - - -	- -	- -	- -	- -
	Lighters - - -	- -	- -	- -	- -
	Permits for Shipping Tobacco - - -	- -	- -	- -	- -
	Bills of Health - - - - - -	- -	- -	- -	- -
	Letters of Marque and Reprisals - -	- -	- -	- -	- -
	Licences for Trading with Enemy Coast -	- -	- -	- -	- -
	Licences for Carts - - - - -	- -	- -	- -	- -
	Superior Court Fees - - - - -	—	—	—	—
Fees of the Court of Civil Pleas	- - - - - - - - - - -	- -	- -	- -	- -
One moiety on Services - -	- - - - - - - - - - -	- -	- -	- -	- -
Registration of Persons to qualify them to hold landed Property in this Garrison -	- - - - - - - - - - -	- -	- -	- -	- -

Receiver General's Office, Gibraltar,
19th June 1820.

—No. 4.—

YEAR 1818, AND COLLECTED AS CROWN REVENUES.

On Ships.	Brigs.	Sloops.	Boats.	Per Vessel.	Each Certificate.	Each Document.	Per Annum.	Each, per Diem.	Each Ship or Passenger.	Per Pipe, each Month.	Produced in 1818.
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	Hd doll.	—	—	—	—
—	—	—	—	—	—	—	$ 20.	—	—	—	—
—	—	—	—	—	—	—	50.	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	Hd doll. rls.
—	—	—	—	—	—	—	—	—	—	—	$ 1,500. 0.
—	—	—	—	—	—	—	—	Hd doll.	—	—	—
—	—	—	—	—	—	—	—	$ 1.	—	—	—
—	—	—	—	—	—	—	—	—	—	$ 0. 9 rls.	—
—	—	—	—	—	—	—	—	—	—	—	$ 7,764. 6.
Hd doll.	Hd doll.	Hd doll.	Hd doll.	Hd doll. rls.	Hd doll.	—	—	—	—	—	—
$ 8.	$ 6.	$ 3.	$ 2.	—	—	—	—	—	—	—	—
—	—	—	—	$ 1. 0.	—	—	—	—	—	—	—
—	—	—	—	0. 3 rls.	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	$ 2.	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	Hd doll.	—	—	—	—	—
—	—	—	—	—	—	$ 32.	—	—	—	—	—
—	—	—	—	—	—	8.	—	—	—	—	—
—	—	—	—	—	—	16.	—	—	—	—	—
—	—	—	—	—	—	16.	—	—	—	—	—
—	—	—	—	—	—	8.	—	—	—	—	—
—	—	—	—	—	—	4.	—	—	—	—	—
—	—	—	—	—	—	16.	—	—	—	—	—
—	—	—	—	—	—	4.	—	—	—	—	—
—	—	—	—	—	—	—	Hd doll.	—	—	—	—
—	—	—	—	—	—	—	$ 16.	—	—	—	—
—	—	—	—	—	—	—	4.	—	—	—	—
—	—	—	—	—	—	—	6.	—	—	—	—
—	—	—	—	—	—	—	6.	—	—	—	—
—	—	—	—	—	—	—	6.	—	—	—	—
—	—	—	—	—	—	—	16.	—	—	—	—
—	—	—	—	—	—	—	12.	—	—	—	—
—	—	—	—	—	—	—	12.	—	—	—	—
—	—	—	—	—	—	—	12.	—	—	—	—
—	—	—	—	—	—	—	4.	—	—	—	—
—	—	—	—	—	—	—	12.	—	—	—	—
—	—	—	—	—	—	2.	—	—	—	—	—
—	—	—	—	—	—	—	—	—	Hd doll.	—	—
—	—	—	—	—	—	—	—	—	$ 1.	—	—
—	—	—	—	—	—	32.	—	—	—	—	—
—	—	—	—	—	—	5.	—	—	—	—	—
—	—	—	—	—	—	—	4.	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	Hd doll. rls. qts.
—	—	—	—	—	—	—	—	—	—	—	$ 9,618. 8. 15.
—	—	—	—	—	—	—	—	—	—	—	75. 3. 8.
—	—	—	—	—	—	—	—	—	—	—	210. 0. 0.

HENRY LEWIS WICKHAM,
Receiver General.

In addition to the above duties, a gauging fee of 4 rls. and 14 qts. per pipe, Wine, and 1 quart per gallon of Spirits, is collected for use of the Receiver General.

GIBRALTAR.

ACCOUNTS RELATING TO THE OFFICES AND REVENUES OF GIBRALTAR:

VIZ.

N° 1.—Return of the number and nature of the Offices and Establishments, in the garrison and territories of Gibraltar, paid from its Revenues; for the Year 1800; as far as the same can be made out.

N° 2.—Return of the number and nature of Offices and Establishments, in the garrison and territories of Gibraltar, paid from its Revenues; for the Year 1818.

N° 3.—Return of the total Amount of Revenues collected in the garrison and territory of Gibraltar, as Crown Revenues; from 1760 to 1820.

N° 4.—Return of all Taxes and Duties levied within the fortress and territory of Gibraltar, and also of all Port Duties and Charges on watering Ships of every description, for Mediterranean passes, or from any other Persons visiting or residing within the Garrison; for the Year 1818.

Ordered, by The House of Commons, *to be Printed,*
22 *February* 1821.

GIBRALTAR REVENUES.

A Return to an Address of the Honourable House of Commons, dated 11 February 1822;—*for*

A RETURN OF THE AMOUNT OF REVENUE COLLECTED AT GIBRALTAR,

For the Years 1820 and 1821;

Distinguishing Crown Revenue from Garrison Revenue, if any, and the Total of the Whole, with the Application of the same, under separate Heads; also, a Return of the Officers and Establishments in the Garrison and Territories of Gibraltar, in the same Years, stating the Names of every Person receiving £. 50 and upwards, the Amount of Expenditure for each in Salary and other Allowances, the Amount expended under each Head, and the Amount remitted to England, to account for the whole of the Revenue of those Years.

Lincoln's-Inn, 17th December 1821.

SIR,

IN pursuance of the directions contained in your letter of the 28th May 1821, I have the honour to enclose a Return of the Gibraltar Revenue for the year 1820, as called for by The House of Commons, on the 25th of the same month.

The Balance of Accounts for that year being against the Revenues, no Remittance has been made to this Country; and it is right to observe, that His Majesty's Allowance of £. 2,800 per annum to the Governor of the Garrison, has not been charged in this Statement, as the Earl of Chatham, intending to receive it in England, did not draw it in Gibraltar. The Sum itself is, however, not the less to be considered as an annual Charge on the Revenues; and I take the liberty of calling your attention to this subject, as I believe that this Allowance was considered, in the House of Commons, as coming out of the public Purse, instead of the personal Revenues of the Crown.

I have also to observe, for your information, that I am charged with the Payment of Pensions to the Amount of £. 1,500 per annum, to various Persons in this Country, out of the Surplus of Revenue remitted; but as the Return called for by The House of Commons, is confined to Gibraltar, I have not thought it necessary to take any notice of them.

I have the honour to be,

SIR,

Your most obedient Servant,

HENRY L. WICKHAM.

The Right hon. Charles Arbuthnot.

STATEMENT of the RECEIPT and EXPENDITURE of His Majesty's Revenues at GIBRALTAR, for One Year, from 1st January to 31st December 1820.

RECEIPT.

	Hard Dols.	rls.	qts.
TOTAL Amount of the Receipt of His Majesty's Revenues, collected between the 1st January and 31st December 1820 - - - - - - - - - - - - - - - - $	103,645	7	1
To Cash received from the Clerk of Arraigns, in virtue of His Excellency Sir George Don's Warrant - - - - - - - - - - - - - - - - - - -	38	10	8
To Eight months Salary retained from the Collector of Revenues, being a balance due by him to His Majesty's Revenues - - - - - - - - - - - - - - -	1,481	5	10
To an overpayment of Salary to the Deputy Judge Advocate, being charged in the Accounts of 1818 - $ 2,916. 3. 6. instead of $ 2,898. 0. 6. difference - - - - - - - -	18	3	–
BALANCE chargeable on the Accounts for the Year 1821 - - - - - - - - - -	696	3	9
$.	105,880	5	12

N. B.—No difference exists between Crown and Garrison Revenue.

EXPENDITURE.

	Hard Dols.	rls.	qts.	Hard Dols.	rls.	qts.	Hard Dols.	rls.	qts.
BALANCE chargeable from Accounts - ending 31 December 1819	-	-	-	-	-	-	$ 8,935	7	11
SALARIES AND ALLOWANCES.									
REVENUE OFFICERS:									
12 Months pay to the Receiver General - H. L. Wickham, Esq. £. 300 per ann. - $	1,333	4	–						
— - - to the First Clerk to D° - - - Edward Grellett, a' $ 2. - per day	732	–	–						
— - - to the Second D° - D° - - Andrew Bertoloso, 1. 8. - per day	610	–	–						
— - - to the Master Porter - - - - Joseph Mullido, 1. 0. - per day	366	–	–						
— - - to the Clerk of Porters - - - William Dittmur, 1. 0. - per day	366	–	–						
— - - to the public Weighman, - - - Joseph Mallado, 1. 0. - per day	366	–	–						
— - Rent allowance to the First Clerk - a' $ 9. 4. p' month	112	–	–						
— - - D° - - Second D° - - 8. 0. - d° -	96	–	–						
— - - D° - - Master Porter - 5. 4. - „ -	64	–	–						
— - - D° - - Clerk of Porters - 5. 4. - „ -	64	–	–						
— - House rent for the Deputy Receiver General - -	1,024	–	–						
— - Stationery and Petty Expenses - - - - -	449	4	12						
				5,582	8	12			
12 Months pay to the Collector - - - - - L. S. Tucker, Esq. a' £. 500 per ann.	2,222	2	8						
— - - to the First Clerk to D° - Nic° Bassadon, $ 2 per day	732	–	–						
— - - to the Second D° - D° - - John Paul Bertuzzi, 1. 6. - per day	549	–	–						
— - Stationery and Petty Expenses - - - - -	243	9	1						
				3,746	11	9			
12 Months pay to the Inspector - - - - - - - Fra° Stokes a' £. 300 per ann.	1,333	4	–						
— - - to the Deputy Inspector - - - - A. L. Wood $ 1. 4. - per day	488	–	–						
Assistants to the Deputy Inspector:									
12 Months pay to - Joseph Agnes - - - a' $ 1. 2. per day	427	–	–						
— - - to - Anthony Morello - - - 1. 2. „	427	–	–						
— - - to - John Opisso - - - - - 1. 2. „	427	–	–						

	Hard Dols.	rls.	qts.	Hard Dols.	rls.	qts.	Hard Dols.	rls.	qts.
Assistants to the Deputy Inspector—*continued.*									
12 Months Pay to - Man[l] Rocca - - - - - - 1. 2. p' day	427	–	–						
6 — - - to - John Livermore - - - - 1. 2. „	212	4	–						
3 — - - to - Vincent Odilli - - - - 1. 2. „	107	4	–						
12 — - - to the King's Gauger - - - Andrew Patterson a' p' 800 currency per ann.	533	4	–						
12 — - Rent allowance to 4 Assistants to the Deputy Inspector a' $ 6. 8. per month each	320	–	–						
6 — - - D° - to 1 - D° - - - - D° 6. 8. per month each	40	–	–						
3 — - - D° - to 1 - D° - - - - D° 6. 8. per month each	20	–	–						
12 — - - D° - to the King's Gauger, 8. „	96	–	–						
				4,858	4	–			
PUBLIC DEPARTMENTS:							14,188	–	5
PRATTIQUE OFFICE.									
12 Months pay to the Prattique Master, - William Sweetland, Esq. £. 800 - per ann.	3,555	6	8						
— - - to the Deputy - D° - - - - - - Thomas Kent a' $ 2. - per day	732	–	–						
— - - to the Assistant D° - - - - - John Bertuzie 2. - per day	732	–	–						
— - - to the Clerk of the Office - - - - John Terry 1. 8. per day	610	–	–						
— - - to the crew (13 in number) of the Boats belonging to the Department - - - a' 8 rls. per day each	3,660	–	–						
— - - to 2 Coxswains - - D° - a' $ 1 - d° - d°	732	–	–						
— - Rent Allowance to the Deputy Prattique Master, a' $ 16 per month	192	–	–						
— - D° - to the Assistant Ditto - - 16. „	192	–	–						
— - D° - to the Clerk of the Office - 16. „	192	–	–						
— - House Rent for the Boats Crews - - 48. „	576	–	–						
— - Hire of the Quarantine Guard Vessel, a' $ 13. 4. per day	4,880	–	–						
— - Contingent Expenses for repairs of Boats, clothing Boats Crews, Stationery, Printing, &c. - - - -	1,637	1	–						
				17,690	7	8			
CIVIL SECRETARY'S OFFICE.							—		
23 Months Pay to the Civil Secretary, Lieut Col. S. R. Chapman, from 1 February 1819 to 31 December 1820 a' £. 1,200 p[r] ann. - -	$ 10,206	4	9						
12 — - - to the First Clerk to - D° - - Robert Martin, a' $ 2. 8. per day	976	–	–						
— - - to the Second D° - D° - Nic[s] Porro, 1. 4. - d° -	488	–	–						
23 Days - - to the Third D° - D° - from 1st to 23d Jan. 1820, B. Harvey - - - - - - - $ 1. 4. - d° -	30	8	–						
6 Months - to the Office Servant, from 1 Jan. to 30 June 1820 a' $ 2. per month	12	–	–						
6 — - - to D° - D° - from 1 July to 31 Dec. a' 2 reals p' day	30	8	–						
12 — - Rent Allowance to the First Clerk - a' $ 8. per month	96	–	–						
— - - Ditto to the Second D° - - - 6. 8. p' d° -	80	–	–						
— - Expenses for Stationery, Printing, &c. - - -	1,792	11	4						
				13,712	7	13			
COURT OF CIVIL PLEAS:							31,403	3	5
12 Months Pay to the Judge Court of Civil Pleas, Will[m] Toye, Esq. a' £. 800 per ann.	3,555	6	8						
— - - to the Clerk of Arraigns, Edward Prichard, £. 100 d°	444	5	4						
— - - to the Deputy Marshal, Sol. Hassan - 25 - d° -	111	1	4						
— - Rent Allowance to the Judge - - - - -	640	–	–						
— - - D° - - to the Clerk of Arraigns, a' $ 32. p' month	384	–	–						
— - - D° - - to the Marshal, Edw. Ashley, 10. d° -	120	–	–						
— - Stationery and petty Expenses - - - - -	200	8	8						
				5,455	9	8			
Small Debt Court and Sitting Magistrate's Office:									
Balance of Expenses above the Fees received this year - - - - - -				108	3	–			
							5,564	–	8

	Hard Dols.	rls.	qrs.	Hard. Dols.	rls.	qrs.
Allowances to the Staff and other Officers:						
To his Excellency Sir George Don, General, commanding - £. 3,500 per annum	15,555	6	8			
To - Ditto - - Ditto - - Lieutenant Governor - - - 20 *s.* per day	1,626	7	14			
To Col. R. Pilkington - - - - Chief Engineer - - - - - - 30 *s.* per day	2,440	–	–			
To F. S. Larpent, Esq. - - - - Deputy Judge Advocate - £. 1,000 per annum	4,444	5	4			
To J. S. Eschannis - - - - - Auditor of Revenues - - - 10 *s.* per day	813	3	14			
To W. W. Fraser - - - - - Inspector of Health - - - - 20 *s.* - d° -	1,626	7	14			
To Francis Stokes - Interpreter and Translator at Head Quarters - 5 *s.* - d° -	406	7	14			
To Major Fraser - - - - - - Head of Police - - - - - - 5 *s.* - d° -	406	7	14			
To Archibald Campbell - - - Supervisor of Markets - - 12 reals - d° -	366	–	–			
To Charles Bonisson - Translator and Preceptor of Languages - £. 70 per ann.	311	1	4			
To Rent Rllowance to - - D° - - D° - - - - - - - $ 8. per month	96	–	–			
				28,093	–	6
PENSIONS:						
To Widow Jane Williams - - - - - - - - - a' £. 100 per ann.	$ 444	5	4			
To - ,, - Clotilda de M. Livery - - - - - - - - - 80 - d° -	355	6	8			
To - ,, - Rosa Corth - - - - - - - - - - - 80 - d° -	355	6	8			
To John Nicholls - - - - - - - - - - - - - 18 - d° -	80	–	–			
				1,235	6	4
MISCELLANEOUS:						
To keeping in repair the English Church, Aqueduct, Common Sewers, Drains, Quays, Wharfs, the Prison for the Inhabitants, the Governor's, and Revenue Officers' Quarters, the Court House, Public Furniture at Head Quarters, &c. this Year - - - - - - - - - - - - - - - -	$ 12,736	4	12			
To one Moiety of Expenses for lighting the Town - - - - - - - -	2,033	4	2			
To Assessment on Revenue Buildings - - - - - - - - - - -	581	2	4			
To proportion of Fees on Mediterranean Passes, to the Secretary of the Admiralty -	432	8	15			
To an Allowance to the King's Messenger, John Borastero, in lieu of Forage for a Horse - - - - - - - - - - - - - 4 *s.* 1½ *d.* per day	335	6	–			
To - D° - - to the Acting Civil Secretary, Robert Martin, from 6th to 31st January 1819 - - - - - - - - - - - - - -	115	6	10			
To Expenses incurred for Repairs of the Garrison Library - - - - - -	222	2	10			
To Peter Kelly, by Order of his Excellency Sir George Don - - - - -	4	–	–			
				16,460	11	5
			$	105,880	5	12

December 17th, 1821.

HENRY L. WICKHAM,
Receiver General.

Lincoln's-Inn, February 19th, 1822.

SIR,

I HAVE the honour to acknowledge your letter of the 13th instant, calling upon me for Returns of the Amount of Gibraltar Revenue, for the years 1820, 1821, in pursuance of a Resolution of the House of Commons of the 11th inst.

I beg to inform you, that a Return of the Revenue of that Garrison for the year 1820, was sent by me to the Treasury, in a letter to Mr. Arbuthnot, bearing date the 17th December 1821. The Return in question having only arrived from Gibraltar late in the year, it was sent to Mr. Arbuthnot in duplicate, and will, I presume, be forthcoming.

With respect to the Return for the year 1821, I beg leave to state, that some time must necessarily elapse before it can be procured from Gibraltar. It is out of my power to make it up from my own papers, as the Accounts for each year undergo an examination by the Commissary of Accounts resident there, before they are transmitted to me, for which reason I never receive them till one or two years after they are made up. I trust, however, that I shall be able to send you the Return in question by the end of April at latest.

I have the honour to be,

SIR,

Your most obedient Servant,

HENRY L. WICKHAM.

S. R. Lushington, Esq.

GIBRALTAR REVENUES.

A Return to an Address of the Honourable House of Commons, dated 11th February 1822;—*for*,

A RETURN of the Amount of Revenue collected at Gibraltar, for the Years 1820 and 1821; distinguishing Crown Revenue from Garrison Revenue, if any, and the Total of the Whole, with the Application of the same, under separate Heads; also, a Return of the Officers and Establishments in the Garrison and Territories of Gibraltar, in the same Years, stating the Names of every Person receiving £. 50, and upwards, the Amount of Expenditure for each in Salary and other Allowances, the Amount expended under each Head, and the Amount remitted to England, to account for the whole of the Revenue of these Years.

Ordered, by The House of Commons, *to be Printed*,
7 *March* 1822.

GIBRALTAR

RETURN OF THE AMOUNT OF REVENUE COLLECTED AT GIBRALTAR,

For the Year 1821;

With the Application thereof, and the Amount remitted to England.

Statement of the RECEIPT and EXPENDITURE of His Majesty's Revenues, at Gibraltar, from 1st January to 31st December 1821.

To total Amount of the RECEIPT of His Majesty's Revenues, collected between the 1st January and 31st December 1821			$.	134,053	2 2
There is no difference between Crown Revenue and Garrison Revenue; all sums collected in the Garrison being carried to the credit of the Crown, with the exception of a fee of 4^{ds} 14^{gts} per pipe of wine, and 1^{qt} per gallon of spirits collected for the use of the the Receiver General, by Orders in Council of March 1752 and May 1809.				£. s.	d.
Amount in the year 1821				187 –	–
D° - - in the year 1820				82 8	5
BY CASH PAID, to December, as per Accounts rendered			$	696 3	9

SALARIES and ALLOWANCES to REVENUE OFFICERS:				$ . .
By 12 mo^{s} pay to the Receiver General, H. L. Wickham, £. 300 per ann.	$	1,333	4 –	
By - d° - to his first clerk, Edward Grellett, - -	$ 2. p. diem -	730	– –	
By - d° - to his second d°, Andrew Bertoloso, -	$ 1. 8. p. d° -	608	4 –	
By - d° - to his master porter, Joseph Multedo,	$ 1. 0. p. d° -	365	– –	
By - d° - to the clerk of porters, Jos. Serutti,	$ 1. 0. p. d° -	365	– –	
By - d° - to the public weighman, Jo^{s} Mullado,	$ 1. 0. p. d° -	365	– –	
Rent allowance to the first clerk - - - -	$ 9. 4. p. month	112	– –	
- - d° - - to the second d° - - - -	$ 8. 0. p. d° -	96	– –	
- - d° - - to the master and clerk of porters, -	$ 5. 4. p. d° each	128	– –	
- - d° - - to the deputy receiver general - -	$ 80. p. d° -	960	– –	
By stationery and contingencies - - - - - - - -		503	3 11	
				5,565 11 11
By 12 mo^{s} pay to the collector, L. S. Tucker, £. 500 p. ann. -	$	2,222	2 8	
By - d° - to his first clerk, Nich^{s} Bassadone, -	$ 2. 0. per diem	730	– –	
By - d° - to his second d°, John P. Bertuzzi -	$ 1. 6. per d°	547	6 –	
By - d° - stationery and contingencies - - - - -		271	9 8	
				3,771 6 –
By 12 mo^{s} pay to the inspector, Francis Stokes, £. 300 p. ann. -	$	1,333	4 –	
By - d° - to the deputy, A. L. Wood - -	$ 1. 4. per diem	486	8 –	
By - d° - to five assistants, to d° - - each - -	$ 1. 2. p. d°	2,129	2 –	
By - d° - to the King's gauger, Andrew Patterson,	$ 533. 4. p. ann.	533	4 –	
By rent allowance to the five assistant inspectors -	$ 6. 8. p. m° each	400	– –	
By - d° - to the King's gauger - - - -	$ 8. 0. p. d° -	96	– –	
				4,978 6 –

PUBLIC DEPARTMENTS.

			$ . .
PRATTIQUE OFFICE:			
By 12 mos pay to the prattique master, Wm Sweetland, £. 800 p. ann.	$1,333	4 –	
By - do - to the deputy - do - Thos Kent - $2. 0. p. diem	730	– –	
By - do - to the assistant do - John Bertuzzi, $2. 0. p. do -	730	– –	
By - do - to the office clerk, John Terry - - $1. 8. p. do -	608	4 –	
By rent allowance for the three above - - - $16. p. mo each	576	– –	
By hire of the quarantine guard vessels - - - $13. 4. p. diem	4,866	8 –	
By pay and rent allowance to the boat's crew - - - - - -	4,956	– –	
By contingent expenses - - - - - - - - - - -	1,512	1 10	
			17,534 8 2
CIVIL SECRETARY'S OFFICE:			
By 12 mos pay to the Civil Secretary, Lt Col. Chapman, £. 1,200 p. ann.	5,333	4 –	
By - do - to first clerk, Robt Martin, $2. 8. per diem - - -	973	4 –	
By 3 do - to second do, Nichs Porro, $1. 4. p. do - - -	120	– –	
By 9 do - to - do - do, - - do - - - $1. 8. p. do - - -	458	4 –	
By 9 - do - to third do, Wm Whitty - $1. 4. p. do - - -	366	8 –	
By rent allowance to the above - - - - - - - -	236	– –	
By contingent expenses - - - - - - - - - - -	1,452	9 14	
			8,940 5 14
SMALL DEBT COURT,			
And Sitting Magistrate's Office:			
By blance of expences above the fees received this year - - - - -			49 8 8
PENSIONS:			
By 12 mos pay to Widow Jane Williams, £. 100 p. ann. - - -	$444	5 4	
By - do - to Widow Rosa Coelho - - 80 p. do - - -	355	6 8	
By 9 do - to Widow Clotilda Levery - 80 p. do - - -	266	7 14	
By 12 do - to John Nicholls - - - - 18 p. do - - -	80	– –	
			1,146 7 10
COURT OF CIVIL PLEAS:			
By 12 mos pay to the Judge, Wm Toye - - - £. 800 p. ann.	$3,555	6 8	
By - do - to clerk of arraigns, E. Prichard - £. 100 p. do -	444	5 4	
By - do - to deputy marshal, T. Hassan, - - £. 25 p. do -	111	1 4	
By - do rent allowance to the Judge - - - $48. p. month	576	– –	
By - do - do - - to the Registrar - - $32. p. do -	384	– –	
By - do - do - - to the Marshal - - $10. p. do -	120	– –	
By - do contingent expenses - - - - - - - -	113	– 12	
			5,304 1 12
ALLOWANCES to Staff and other Officers:			
By amount of allowance to the Governor, the Earl of Chatham, of £. 2,800 p. ann. from 29 January 1820 to 31 December 1821 $ -	23,936	10 6	
By 10½ mos to Sir George Don, as General commanding, £. 3,500 per ann. - - - - - - - - - - - - -	13,611	1 3	
By 1½ do to the Earl of Chatham, as do £. 3,500 per ann. - -	1,944	5 5	
By 12 mos to Lieutenant-Governor Sir George Don, 20 s. p. diem -	1,622	2 9	
By - do to Chief Engineer Colonel Pilkington - 30 s. p. do -	2,433	4 –	
By 9 do to Judge Advocate F. J. Larpent - £. 1,000 p. ann. -	3,333	3 15	
By 12 do to Head of the Police, Major Fraser - 5 s. p. diem -	405	6 9	
By - do to Auditor of Revenues, J. S. Eschauzier 10 s. p. do -	811	1 4	
By - do to Inspector of Health, W. W. Fraser - 20 s. p. do -	1,622	2 9	
By - do to Interpreter and Translator, at head quarters, F. Stokes, 5 s. per do - - - - - - - - - - -	405	6 9	
By 98 days to Spanish Secretary at do, F. Stokes, 10 s. p. do - -	217	9 5	
By 12 mos pay to Supervisor of Markets, A. Campbell, 12 reals p. do	365	– –	
By - - do - to Preceptor of Languages, C. Bouisson, £. 70 p. ann.	311	1 4	
By do rent allowance to do, $ 8 p. month - - - - -	96	– –	
By do pay to J. Borastero, King's Messenger, in lieu of forage, 4 s. 1½ d. p. day - - - - - - - - - - - -	334	7 –	
By 3 mos do to A. Terry, Clerk to the Commissioners, $ 3 p. day -	276	– –	
By days pay to Captain Thompson, Surveyor and Overseer of nue repairs, 20 reals p. day - - - - - - -	115	– –	
			51,841 1 14

MISCELLANEOUS.	$ . .	$ . .
For keeping in repair the church, aqueducts, common sewers, drains, quays, wharfs, civil prison, governors, and revenue officers quarters, court-house, &c.	9,488 3 5	
One moiety of expenses for lighting the town	2,614 4 11	
To assessment on revenue buildings	359 – –	
To proportion of fees on Mediterranean passes	1,305 11 14	
To expenses in repairs of the garrison library	444 5 4	
To refunded to two wine-house men	180 – –	
To paid E. Prichard, expenses of sessions of the peace	26 10 8	
To paid on account to Major Harding and J. Bartley, for taking a survey and plan of Gibraltar	1,500 – –	
To 3½ mos rent allowance to the Collector of Revenues	112 – –	
To 3 mos pay and rent to J. Livermore, Assistant Deputy Inspector of Revenue, deceased, paid to his executors	127 4 –	
		16,158 3 10
		115,987 4 10
* By cash remitted		18,045 9 8
	$	134,033 2 2
By this sum short paid, and will appear to the credit of accounts of 1822		20 – –
	$	134,053 2 2

* This sum was remitted in two parts.

$ 5,579 10 7	at 49d 5/8	£.1,153 15 1
$ 12,465 11 1	at 48 1/4 d.	2,532 2 9½
$ 18,045 9 8		£.3,685 17 10½

May 1st, 1822.

HENRY L. WICKHAM,
Recr Genl.

GIBRALTAR.

RETURN of the Amount of Revenue collected at Gibraltar, for the Year 1821, with the Application thereof, and the Amount remitted to England.

Ordered, by The House of Commons, *to be Printed,*
2 *May* 1822.

GIBRALTAR.

RETURNS to Two Addresses of the Honourable The House of Commons, dated 17 and 20 February 1854;—*for*,

ADDRESS of 17 February 1854.

A "COPY of the MEMORIAL presented to the Duke of *Newcastle* by a Deputation from the Merchants of *Gibraltar*; and Copies or Extracts of any CORRESPONDENCE relating thereto, between the Colonial Office and the Governor of *Gibraltar*, and of the DESPATCHES dated the 21st day of March 1853, and the 15th day of October 1853."

(*Mr. Bright.*)

ADDRESS of 20 February 1854.

"COPY or EXTRACTS of a DESPATCH of the Governor of *Gibraltar* to the Secretary of State for the Colonies, dated the 18th day of June 1853."

(*Mr. Newdegate.*)

Colonial Office,
23 March 1854.

FREDERICK PEEL.

Ordered, by The House of Commons, *to be Printed*,
27 *March* 1854.

SCHEDULE.

I.

MEMORIAL from a Deputation of Merchants of Gibraltar.

SUBJECT.	Page.
Memorial from a Deputation of the Merchants of Gibraltar, presented to the Duke of Newcastle, dated 6th December 1853	1
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COPY of the MEMORIAL presented to the Duke of *Newcastle* by a Deputation from the Merchants of *Gibraltar;* and Copies or Extracts of any CORRESPONDENCE relating thereto, between the Colonial Office and the Governor of *Gibraltar*, and of the DESPATCHES dated the 21st day of March 1853, and the 15th day of October 1853.

I.

COPY of a MEMORIAL from a Deputation of the Merchants of Gibraltar, presented to the Duke of *Newcastle.*

I.
Memorial from Merchants of Gibraltar.

To his Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

Morley's Hotel, Trafalgar-square, London.
6 December 1853.

May it please your Grace,

WE have the honour to address your Grace, with the object of submitting to your consideration, the memorials with which we have been entrusted, by the merchants and inhabitants of Gibraltar, for presentation.

We accordingly humbly beg permission to lay before your Grace the accompanying documents.

1. Memorial addressed to your Grace, dated 30th September 1853, calling attention to the following subjects; viz.—The recently imposed restrictions and duties on wines and spirits; the alleged contraband trade of the port; the alleged contraband trade across the Isthmus; the surrender of Manual Ramos Ortigosa, an alien, to the Spanish authorities, for alleged violation of orders given by the English Governor to the British advanced guard; the barbarous murder committed on the 7th September last, by the Spanish Carbineers within the Neutral Ground; and, the Governor's unwarrantable remarks thereupon, expressed in a garrison order issued on the same day; the regulations recently enforced for preventing Spanish boats moving after gun-fire, or leaving the Bay after dark; the unnecessary new regulations with respect to the free circulation and traffic over the Neutral Ground, and restrictions upon the pursuit of the ordinary occupation of the fishermen in Catalan Bay; the new Spanish custom-house on the frontier; and the Governor's mischievous conduct in connexion therewith; and praying in conclusion for:

1st. Removal of all the recent restrictions on the transit trade of the port.

2d. Equal commercial freedom with that enjoyed by the people of England.

3d. Protection against the Governor's vexatious and harassing interference with the trade he is bound to protect.

4th. That the operation of the Orders in Council relating to revenue now in force, may be confined, as heretofore, to the city, garrison and territory, and not extended unauthorisedly to the port of Gibraltar; and,

Lastly. That the entire freedom of the port may be maintained inviolate.—[Enclosure marked, No. 1.]

2. We enclose further, a memorial addressed to your Grace, dated 24th October 1853, accrediting us, William Carver, chairman of the Exchange Committee, and John Peacock, British merchant, both of Gibraltar, as a deputation to lay before your Grace, all the grievances and wants of the community of Gibraltar, and complaining of the illegal and undue interference with the free-

1. Memorial from Merchants of Gibraltar.

dom of the trade of the port, on the part of the local government; and praying—

> Your Grace to give the deputation a patient hearing; to appoint a commission, with ample powers to inquire into and revise completely the existing laws of Gibraltar; to inquire into the state of the public receipts and expenditure of the colony, with a view to the immediate and permanent reduction of the unnecessary expenses of the local government; and to report to your Grace, upon the necessity of the appointment of a consultative council to assist in preparing all laws, and matters connected with the public revenue and the trade of Gibraltar.—[Enclosure, marked No. 2.]

3. We further enclose a copy of a memorial from 39 inhabitants of Gibraltar, addressed to the Governor of Gibraltar, dated the 7th of November 1853, (referred to in our letter addressed to Mr. Merivale, dated 25th November, enclosing printed copy of the same, together with the Governor's reply, inserted in the "Gibraltar Chronicle," of the 12th November,) complaining of the great obstructions in trade, caused by the Governor's rash and inconsiderate proceedings; and the impolicy of measures, which only tend to provoke retaliatory and stringent restrictions on the communications with Spain, by the Spanish authorities.—[Enclosure, marked No. 3.]

A perusal of the above-recited documents, illustrated as they are by comments made thereupon by the Governor, in his notices, inserted in the "Gibraltar Chronicle," of the 27th July; 8th and 25th August; 7th September; 4th, 24th and 28th October; 1st., 2d, and 12th November, printed copies of which will be found enclosed [Enclosure, marked No. 4], and to which we especially refer your Grace; a calm and attentive perusal of these documents must impress your Grace with the conviction, that the memorialists have no alternative, but to appeal from the maladministration of the present Governor, to your Grace's superior authority. Your Grace will perceive, that the grievances recapitulated in the above recited memorials, mainly resolve themselves into four distinct articles, each of which furnishes ample grounds to impeach the conduct of his Excellency Sir Robert Gardiner.

I. Illegal Fiscal Regulations.

II. Restrictions upon Commerce.

III. Closing Communication with Spain, and Impolitic Qnarantine Regulations.

IV. Civil Administrative Government and Interference with Right of Meeting.

I. *With regard to Illegal Fiscal Regulations.*

We allege, that the Governor unauthorisedly, unconstitutionally, and in direct violation of the express words of the Orders in Council in that case provided, has ordered duties to be levied upon wines in the port of Gibraltar, without warrant in law; and that he has imposed arbitrary restrictions upon the removal of wines and spirits afloat, incompatible with the perfect freedom of the port. As regards—

II. *Restrictions upon Commerce.*

That he has imposed arbitrary restrictions upon the egress from Gibraltar of vessels lawfully engaged in trade; and in the pursuit of an impracticable policy, which he describes as "licit trade, free as air," which, however, in reality, is fettered by the Spanish laws with wholly prohibitory duties as regards British goods, the Governor has issued orders which interpose unnecessary and vexatious impediments in the way of transacting the legitimate commerce of the port.

III. *Closing the Land Communication with Spain, and Impolitic Quarantine Regulations.*

That the Governor, as President of the Board of Health, in friendly concurrence with the Spanish authorities, decided upon a quarantine of eight days observation upon all vessels arriving at Gibraltar from England after the 24th of October. Eight days afterwards, he precipitately, and without any notice, removed

all

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all quarantine, and provoked the Spanish authorities in pure self defence to place vessels from Gibraltar under a quarantine of eight days' observation, instead of allowing them free communication as theretofore. The order of the Board of Health at Algesiras having been at once carried into effect, to the great prejudice of the trade and the comfort of the inhabitants of the port of Gibraltar, the Governor, without any motive which can be fathomed, crowned these proceedings by cutting off the land communication with Spain, thereby preventing the introduction of provisions and supplies into the garrison and city through that channel, and reducing the poorer classes of Gibraltar to the deepest distress.

IV. *Civil Administrative Government, and Interference with the Right of Meeting.*

He has interfered with the inalienable right of British subjects to assemble peaceably to discuss their wants and grievances, having prohibited the inhabitants from meeting even in their Public Exchange Rooms to memorialize Her Majesty's Secretary of State.

Your Grace will, perhaps, allow us to avail ourselves of this opportunity to take a rapid glance at these four material points, in obedience to our instructions, and in furtherance of the wishes of the memorialists.

The illegality of the Governor's proceedings with regard to the new fiscal regulations, put in force at the latter end of July, is conclusively established by the facts and arguments set forth at great length in the memorial above recited, dated the 30th September, and for more complete elucidation of the subject of the wine duties, and the illegal extension of the revenue laws to the port of Gibraltar, we beg to refer your Grace to the memorial of the merchants composing the Exchange Committee at Gibraltar, dated the 19th September 1853, addressed to your Grace, which memorial, we have since learnt from the Governor, was duly transmitted to the Colonial Office. We take the liberty, however, to enclose a printed copy of the memorial last mentioned, merely for convenient reference, together with the correspondence arising out of the subject.—[Enclosure, marked No. 5.]

In these documents it is incontestably proved that the Order in Council, dated 31st October 1848, under the authority of which the present duties are levied, does not authorize the raising and collection of any duty on wine warehoused afloat on board of the hulks in the port, or bonded in the Queen's stores in the city of Gibraltar, unless for consumption therein. The raising and collection of the sum of five dollars as a duty on a pipe of wine simply removed from one vessel to another in the port, roadstead or anchorage, the wine being destined for the consumption of the master or crew during an intended voyage, as detailed in the case of Giacomo Bado, was clearly unauthorized by law. The Governor having placed himself in the questionable position of being compelled, when the legality of his proceedings was challenged, to refund the amount wrongfully extorted, is conclusive upon that point; but the illegal demand for the payment of the full amount of the import duty of five dollars per pipe has been made in several instances previously to the granting of a permit for transhipment (as fully detailed in the copy of the correspondence [Enclosure, marked No. 5] between the Governor and the Members of the Exchange Committee on that subject), and we especially point out to your Grace that the order, or *quasi* order, by which the Governor enforced wrongfully the payment of this duty, has not been formally rescinded. As by the refusal of the under officials in the revenue department to furnish us with the requisite technical proof, we were precluded from bringing this matter before a court of competent jurisdiction for its decision, we have no alternative but to have recourse to the supreme authority of your Grace to put a stop to such proceedings in future.

We must further contend that the exaction of any sum whatever, under the colour of a charge or fee, or duty, previously conditioned, before a permit is granted for the removal of wines from one vessel anchored in the port to another, whether the wine so transhipped may be destined for exportation or for the consumption of the master and crew, is illegal, and is not warranted by the terms of the Orders in Council now in force. As it will plainly appear, upon examination of the said Orders in Council, that throughout, when defining the city, garrison and territory of Gibraltar, a clear distinction is drawn between the area or delimitations thereof and the port, roadstead and anchorage, for which two

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main divisions respectively, the Charters of Justice, the Admiralty Commission, and especially the Orders in Council, dated 5th February 1827, and 6th February 1832, provide and establish a separate jurisdiction.

Your Grace, who, in your capacity of legislator, or in the exercise of your important functions as a responsible Minister of the Crown, has been ever the zealous champion of free trade, will perceive that the imposition of any unnecessary restrictions whatever which harass and cripple the business of a merchant, are impolitic. The exploded system of permits, now revived and put in practice for the first time in the Bay of Gibraltar, strikes at the freedom of the port, which was secured in solemn form to the merchants and inhabitants of Gibraltar by her late Gracious Majesty Queen Anne, in the Order in Council dated 7th February 1705. The existing laws, if properly enforced, are amply sufficient to secure the due collection of the import duties payable to the Queen, as well as to punish offenders against the revenue laws. The alleged "scandalous scenes of riot, drunkenness and attempted murder," described by the Governor in his official notice of the 27th July, which heralded forth these new regulations and novel system of permits, have their existence, we conscientiously believe, in the imagination of the Governor alone; no such alleged cases of violence and breaches of the peace have been brought under the cognizance of the tribunals for punishment; and, in fact, they have the appearance of being hollow pretexts ostentatiously paraded to palliate or to justify, with the Home Government, a mischievous system of restrictive policy, the adoption of which, as far as the article of wine is concerned, being the common beverage of the population, would prove equally detrimental to the trade of both Spain and Gibraltar, without having the effect of checking in the smallest degree the improper and excessive use of ardent spirits. Your Grace will perceive, that in the case recited (page 13 of printed copy of memorial, dated 19th September) [Enclosure, marked No. 5], where a small quantity of wine and spirits was required for the private use of some of the officers of Her Majesty's ship, "Cruiser," the Governor wholly disregarded his own previous regulations, and thus unscrupulously dealt out one law for the persons in the Bay of Gibraltar, and another for the officers in Her Majesty's Navy; all which, we humbly submit, must call forth from your Grace the gravest reprehension.

Having thus gone over briefly the main ground of complaints made against the Governor, comprised in the first article, viz. illegal fiscal regulations, fortifying our allegations with the documentary proofs above referred to, and to which the memorialists desire us to entreat your Grace's earnest attention, we proceed duly to consider the second article, embraced under—

Obstructions to Commerce.

The accompanying memorial of Francisco Carrera, addressed to your Grace, with the correspondence attached thereto [Enclosure, marked No. 6], furnishes a signal example of the unjustifiable stretch of authority which has been exercised by the Governor in the case of this memorialist, a British subject to whom the Government refused to grant a Pass for his vessel. We beg your Grace will refer to the Orders in Council which regulate the conduct to be observed by the Governor in granting Mediterranean Passes to and in favour of Gibraltar shipping navigating the Mediterranean; these Orders in Council are dated respectively the 30th September 1825, and, consequently to the recent repeal of the Navigation Laws, the 19th June 1850. Mediterranean Passes had their origin in the conventions subsisting in former times between England and the piratical Algerines and Barbary States. Pursuant to the stipulations of those conventions, the Lord High Admiral of Great Britain issued, through the instrumentality of the Governor of Gibraltar, Passes, or, properly speaking, certificates of identity to vessels belonging to Gibraltar navigating the Mediterranean Sea, to secure the protection of the British flag against lawless piracy. That nationality and protection were conceded in all cases, whenever the vessel was duly registered according to Act of Parliament. The piratical Algerines having been swept from the ocean, and the old Navigation Laws having been swept from the statute book, the necessity for such certificate was superseded; and, by the Order in Council promulgated subsequent to the repeal of the Navigation Laws, the authority of the Lord High Admiral was revoked and taken away as useless. And it was ordered by Her Majesty, "That it shall and may be lawful for the Governor of Gibraltar, on application to him for that purpose, to grant and issue certificates to and in favour of any ship or vessel, the

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the simple conditions preliminary to entitle a vessel to the Pass being, that the vessel shall be duly registered, and wholly belonging to persons actually residing at Gibraltar, and entitled to be owners of British ships there registered, for the purpose of investing the vessel with a national character, or of placing it under the protection of Her Majesty." Even the old condition preliminary, known as "the manning clause," was abandoned.

From this plain statement, it is self-evident that it is the duty of the person administering the government of Gibraltar to grant these Passes to all British owners of vessels indifferently who make application for them, the vessels being first duly registered. We forbear to enter into the technical dispute upon the words of the Order in Council referred to in the memorial. It seems, however, obvious to the most ordinary capacity, that the terms employed render it imperative and compulsory upon the person administering the government of Gibraltar to grant the Passes required to all duly registered and British owned vessels. But if a verbal quibble could be raised upon this point, we contend, keeping in view the historical data we have furnished, that public policy as well the principles which have guided the Legislature of late years, by the removal of all unnecessary restrictions on free navigation, require that no vexatious regulations, now rendered obsolete, should be imposed upon the shipping of Gibraltar. The refusal of the Governor to grant a Mediterranean Pass to the "Fuen Santa," a vessel owned by Francisco Carrera, unless he previously give security, in the bond of two respectable persons, that the vessel should not be employed in the contraband trade; that is to say, in the trade which may be prohibited by the fiscal laws of Spain, was enforcing a condition preliminary, wholly unauthorized by the Act of Parliament for the registry of British vessels. The registry bond prescribed by the statute 8 & 9 Vict., c. 89, s. 33, required to be executed by the master or owners of vessels previously to the grant of a certificate of registry, simply prescribes a condition that the certificate of registry shall be solely made use of for the service of the vessel, or given up to be cancelled, in certain cases of loss or capture. It is, therefore, an arbitrary stretch of authority for the Governor of Gibraltar to require any other conditions from owners of vessels applying for Mediterranean Passes than those authorized by law. We might venture to hazard a question, by way of hypothesis, if Francisco Carrera, the memorialist, and two respectable bondsmen had so subscribed a bond conditioned upon not committing a breach of the revenue laws of Spain, and the bond had become forfeited, and a court of competent jurisdiction had, moreover, even gone so far as to confirm the forfeiture, we ask, could the penalty, or forfeit money, have been received into the Royal Exchequer of England or the Military Chest of Gibraltar, or, would it have been handed over to the Treasury of the Queen of Spain? These suppositious cases involve such manifest absurdities, that we feel almost under the necessity of apologising to your Grace for dwelling upon them; which we should not do but that we detect in all these proceedings of the Governor proofs of his deliberate and avowed design to injure the trade of the port, constituting himself the protector of the revenues of the Crown of Spain, and forgetting that he ought to be the guardian of English commerce. We need only urge upon your Grace an attentive consideration of the memorial of Francisco Carrera referred to, in the confidence that your Grace will issue the necessary orders in that respect. "Let right be done."

Further examples of the petty vexatious obstructions thrown in the way of the trade of Gibraltar by the present Governor, in his crusade upon that which he is pleased to stigmatise as "contraband trade," are shown by the complaints of the memorialists with respect to the regulations only recently enforced against Spanish boats, which are now prevented from moving in the Bay after gun-fire, or leaving the Bay after dark. In pursuance of the same Anti-British policy, the circulation and traffic over the neutral ground have been impeded by secret orders issued to the advanced sentinels. It was for an alleged breach of these secret orders, and not for any known offence against British or Spanish law, that Manuel Ramos Ortigosa was given up to the Spanish authorities, as detailed in the memorial dated 30th September, in violation, we think, of the rights of hospitality, and without the authority of any convention subsisting with Spain for the mutual surrender of offenders. This person had committed no offence against the laws of Great Britain, and his extradition, unsolicited by the Spanish authorities, was an act of needless severity on the part of the

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Governor, not required by the obligation of moral, municipal, or international law. It was, indeed, avowedly to carry out a system of persecution against any Spanish subjects who might come over to Gibraltar, with the formal passports, and sanction, be it remembered, of their own authorities for trading purposes. It is avowed that these secret orders were not issued to meet any military exigency, but admittedly to check and put a stop to the free intercourse of Spaniards with the town of Gibraltar, and to throw impediments in the way of those purchasers of British goods in the transactions of trade which the Governor pronounces to be "contraband."

We may here call the attention of your Grace to the confused notion which prevails in the Governor's mind respecting what is "contraband trade," as distinguished from "licit free trade," which his Excellency affects to be so desirous of promoting, in the teeth of wholly prohibitory duties by Spain against British goods and the British carrying trade; varying, as they do, in the differential duties alone from 26 per cent. additional, to 765 per cent. It is quite preposterous to assert that "a licit trade, free as air," can be carried on with Spain under such excessive duties, operating, as they do, as a virtual prohibition; indeed, the importation of most fabrics of Manchester manufacture is absolutely interdicted.

We will not affect to conceal the notorious fact that Manchester manufactured goods are extensively smuggled into Spain. But we wholly, unequivocally, and most emphatically deny that the British merchants and agents at Gibraltar are parties to any contraband commerce whatsoever; and it is the confusion in the present Governor's mind upon this point, and his obvious ignorance upon the subject of trade altogether, as demonstrated in the incomprehensible notices to which his signature is affixed and published in the "Gibraltar Chronicle," to which we have adverted, that makes it incumbent upon us to place this point in the clearest light before your Grace, in order to relieve the brother merchants we have the honour to represent from the odium attempted to be fixed upon them as a body, as well as to secure from your Grace that protection in carrying on our legitimate business as merchants, to which, as British subjects, we are justly entitled.

It is quite an abuse of terms, and at variance with the fact, to describe the trade of Gibraltar in the way the Governor denounces it, as a "contraband trade." Contraband trade, as the word expresses it, is a trade against the municipal law (*contra-bando*), meaning an irregular and clandestine traffic in goods which have evaded the payment of the duties to which they are liable by the law of the land. The business of a merchant of Gibraltar is completed when he has effected the sale of his goods in the open market. These goods are mostly of British manufacture, consigned to him by English merchants, men of unblemished integrity; and, bearing in mind, that the trade of Gibraltar furnishes a large contribution to the Government chest; it is not only a libel upon the reputation of the merchants of Gibraltar to connect them, even in idea, with "brigands" and "their confederates," but they resent these imputations as an insult, because they are as unjust, as they are in the strictest sense inapplicable. A British merchant ought not to be dictated to, as to the place where he shall reside. The Queen's dominions are happily free to all Her subjects; a merchant resorts to that spot best adapted for his interests or his connexion; and the merchants of Gibraltar, reposing under the shadow of English law, may well disregard the unmeaning observations on this subject, which have stamped ridicule on the pages of the "Gibraltar Chronicle." We are glad to dismiss this distasteful part of the subject; and having shown your Grace that the Governor of Gibraltar is possessed with some chimera, "that the smuggling trade of Gibraltar must be suppressed, or otherwise the national independence of England must be sacrificed; neither more nor less;" which expressions he puts into the mouths of respectable merchants. *Vide* "Gibraltar Chronicle," 12 November. Further, that he will again, to use his own words, "take every available occasion to suppress a trade," which he stigmatises as "a smuggling trade." We will merely refer your Grace to the printed notices, &c. in the "Gibraltar Chronicle" [Enclosure No. 4.], and we proceed to the next article; viz.

III. *Closing Land Communication with Spain.*

As this measure is intimately connected with, if it did not wholly arise out of the new Quarantine Regulation put in force by the British Governor; both, however,

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ever, aimed at the trade of Gibraltar, and intended as a wholesome lesson, administered with a view to reform "the deep-rooted moral turpitude of the place," (*Sic.* in "Gibraltar Chronicle," 12 November), we shall, with the leave of your Grace, endeavour to dispose of both these embarrassing subjects, under one article.

We shall not venture to discuss here the vexed question of the expediency or non-expediency of maintaining the quarantine laws in full rigour; but as regards Gibraltar, your Grace will readily admit that the observance of good faith with the authorities of neighbouring countries is indispensable for the maintenance of any permanent system whatever. But uncalled for censures on the provincial authorities of Malaga and Algesiras "for aggravating the horrors of the dreadful malady," which these Boards anxiously endeavour to guard against, do not conduce to international harmony with Spain. This tone is especially obnoxious, when conveyed in offensive language in public journals, with the authoritative signature of a British Governor. But apart from these and other considerations, the present conflict of opinion with the Governor assumes this shape. Is it desirable to sacrifice the trade of Gibraltar by isolating her completely from Spain and from all the ports of other countries bordering the Mediterranean, where stringent quarantine regulations are enforced; or is it not a more judicious policy, so to adjust the intercourse between Gibraltar and the neighbouring countries, that under ordinary circumstances the greatest possible uninterrupted intercourse may be secured, compatible with the precautionary measures adopted; we will even say, in consequence of the prejudices of those countries, whose apprehension of infection is greater than our own. The Governor of Gibraltar not only pronounces "that quarantine is useless and uncalled for," "that it is a mere farce, &c."; but he declares that the period when he, as the President of the Board of Health relieved England from this vexatious restriction, "England was in free pratique with all the nations of Europe, except Spain alone." Your Grace will perceive, that by a reference to the "London Gazette," this statement is wholly inexact.

The Memorial of 39 inhabitants of Gibraltar, addressed to the Governor, dated the 7th November, above referred to, fully details the circumstances which have led to the present crisis. A few days after the 24th October, Her Majesty's ship "Leopard" arrived at Gibraltar, with troops on board; and although the Spanish authorities rendered every facility, by relaxing the regulations previously concerted between the two Governors of Gibraltar and Algesiras, in order to enable the troops on board to perform a quarantine of limited duration with the least possible inconvenience, the British Governor disdained any control—he peremptorily countermanded his own previous orders; and, of course, the Spanish authorities, in pure self-protection, being compelled to put Gibraltar in quarantine, Sir Robert Gardiner, by way of retaliation, cut off the land communication on the same day; thereby aggravating the serious inconvenience which he himself had occasioned. If, however, this matter rested upon sanitary considerations alone, we assure your Grace we should feel disinclined to call in question any decision taken by the competent authorities, however grievous to the people of Gibraltar a total severance of the intercommunication with Spain might prove. But, in the present case, the Governor has boasted so unreservedly, that his paramount object is to destroy our trade; that we, as well as our fellow merchants of Gibraltar, representing important interests confided to our care, feel called upon to protest against the anti-British policy which the Governor has adopted; and which we confidently trust will be disapproved by the Home Government. The motives which have actuated the Governor are so unceremoniously developed in his letter addressed to John Francia, Esq., in the reply to the Memorial last mentioned, inserted in the "Gibraltar Chronicle" of the 24th October and 12th November respectively, that we need only again refer your Grace to those notices to satisfy you that sanitary considerations were in the Governor's mind, throughout, subordinate to the design he has formed to cripple, if not wholly to destroy the trade of the port; and to reduce the once flourishing city of Gibraltar to the condition of a mere fishing town.

The present total interruption of land communication with Spain might appear almost to render unnecessary any remarks upon the Governor's declared views with respect to the newly-established Spanish custom-house on the frontier. The subject has, however, been made so obnoxious to the mercantile body in Gibraltar, that we should feel we had committed a dereliction of duty, if we did not

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not especially refer to this point. The Governor's Free Trade Notices, published in the "Gibraltar Chronicle" of the 8th of August and the 12th of November, *et passim*, will inspire your Grace with a full knowledge of the unsound theories developed by the Governor upon the subject of free trade. The statements made in the Memorial dated 30th September, demonstrate that no goods can be introduced profitably through that channel, after satisfying the excessive differential duties imposed upon the importation of foreign merchandize into Spain. The frontier custom-house is, in point of fact, utterly useless for all practical fiscal purposes; but with this fact, patent to all the world, the Governor applauds the establishment highly, "as it will," he assures us, "be found to open ramifications of highest importance and advantage to the case of free licit trade generally, and to the locality (of Gibraltar) especially." Your Grace, upon perusal of the Governor's Notices, from which this quotation is taken (*vide* "Gibraltar Chronicle," 8th August) must perceive that his Excellency is either deceived by his own ardent feelings, or that his notice is a mockery of the mercantile body he so uncourteously addresses, when his Excellency hails the appointment of the new Receiver of Spanish Customs at this spot "as a gradual progressive reform in the *arancel* of Spain." We can perfectly comprehend and appreciate the rational policy of a nation, which, by a reduction of its excessive import duties, invites foreign nations to follow its example; and numerous modern examples have occurred of commercial countries making mutual concessions regulating the reductions, *pari passu*, of their respective tariffs, by international conventions founded upon the basis of reciprocity. It is, however, incomprehensible to us, in what way Sir R. Gardiner can anticipate that increased restrictions will produce the much desired result of a liberal free trade from a "Protectionist" country like Spain; he however insists "that smuggling in Catalonia is the cause of the high tariff in Spain," and pronounces sentence of deportation against the respectable merchants of Gibraltar, to whom his Excellency recommends "a change of market, and a future higher appreciation of the advantages of licit trade (Spanish!) above that of contraband, with a more strict observance of international law." All which paradoxical "Free Trade Notices," with the name of Sir Robert Gardiner affixed thereto, to give them currency and authority, will be found inserted officially in the numbers referred to of the "Gibraltar Chronicle." We have, however, the consolatory re-assurance from the same high authority, "that our British goods are wanted, and will find their way (into the Spanish markets) by fair or forbidden means."

We leave the consideration of these extraordinary publications in your Grace's hands without any comment, in the fullest confidence that similar notices will never be publicly repeated.

We may however add, that the supineness and indifference with which the Governor treats the complaints made to him by British subjects, stand in broad contrast with the zeal and energy with which his Excellency usurps the functions of the Spanish revenue officers. We take the liberty of enclosing a Memorial, addressed to your Grace, dated 13th October 1853 [Enclosure, marked No. 7.] from Carlos Esterico, native of Gibraltar, the owner of a boat, which was seized by some armed Spaniards on the 6th October last, whilst aground in Old Catalan Bay. The facts of the case are fully set forth in this Memorial last mentioned, and are further elucidated by the previous correspondence of the Memorialist with his Excellency the Governor on this subject; a copy of which we have also the honour to enclose, appended to Enclosure, marked No. 7.

A statement of a similar case which occurred in 1831 has been reported to us, in which the parties implicated were, after trial before the English tribunals, condemned to death for piracy in the British waters; but the sentence was subsequently commuted to one year's imprisonment on appeal to the Home authorities. As the present case involves a grave question of criminal law and international right, we of course do not feel competent to offer any opinion on the legal question raised. We accordingly confine ourselves to the duty confided to us, of submitting this matter to the serious consideration of your Grace, not doubting that you will direct such inquiries to be instituted as may bring the offenders to condign punishment, if it shall appear that they have been guilty of a criminal offence within the British waters or territory.

We will only allude in one word to the deplorable murder which, on the 7th of September, was perpetrated by the Spanish Carbineers on the neutral ground, a few paces beyond the English sentinels. A party of Spaniards who had passed

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the night on the spot, having been surprised and attacked by the Spanish revenue officers, one poor man, who remained still asleep, was ruthlessly shot by the Spanish Carbineers, and three of his companions were severely wounded. The details of this outrage, which took place a few paces from the English sentinels, will be found recited in the memorial of the 30th September. It is not for us to attempt the exculpation of any Spaniards who may be detected in the commission of offences against the laws of Spain; but we do most indignantly repel the insult offered to the community of Gibraltar by the Governor, conveyed in his garrison order of that night, in which his Excellency stamps as "murderous," not the act of the Spanish ruffian who shot down a defenceless man within range of the English musket; but he denounces the trade as "murderous," which is fostered and encouraged by the restrictive policy of the Court of the Escurial.

Having thus rapidly glanced at the first three divisions of the subjects above recapitulated, we proceed to unfold to your Grace the views and opinions of the intelligent community of Gibraltar respecting the civil administrative government, and the recent attempts of the present Governor to suppress the right of meeting, and to stifle the just complaints of your memorialists.

We yield to none of the most patriotic of our fellow subjects in duly estimating the transcendant political value of Gibraltar as a possession of Great Britain; we are fully conscious of its vast traditionary, naval, military, and permit us to add, commercial importance. We appreciate the paramount necessity of constantly and vigilantly maintaining this fortress in the highest state of military health, strength and discipline, in order to preserve in its impregnable power, this noble monument of British valour, and of the maritime greatness of England. Accordingly we assure your Grace, and we know that we give expression to the unanimous feeling of the inhabitants of Gibraltar, when we declare, that neither by thought, word or deed, would we intentionally commit any act which might impair the influence which this possession confers upon England, or subvert any established authority wielded by the Queen's Lieutenant, much less seek to abridge the force of that Royal prerogative, by which the laws we live under, are framed and administered in the colony.

With this sincere and unaffected expression of our loyalty to our gracious Sovereign, we most earnestly hope that we shall carry your Grace with us in the sentiments we now venture to express. We do not believe that the maintenance of the most rigorous military authority in the citadel of Gibraltar, would be in the least degree incompatible with the unshackled enjoyment of commercial freedom. The subjects of the Queen in that possession are no political agitators. The population, for the most part humble persons, dependent upon the trade of the port, amounts to about 16,000. They seek the inestimable privilege of possessing some slender share in the framing of the laws by which they are taxed, purely with a view of securing a recognized channel of communication, by which the wants and grievance of the people may be brought constitutionally under the gracious consideration of the Crown, so as to interpose some salutary check against the promulgation of such ordinances as burden their industry unnecessarily, or which have not been duly sanctioned by the Royal authority.

All that the people of Gibraltar asks for, or indeed require, is some simple civil administrative arrangement, either in the form of a consultative council, nominated by the Crown, under warrant of the Secretary of State, to assist in considering the projects of ordinances connected with trade, navigation and taxation (a principle already recognized in the Orders in Council now in force); or otherwise such simple machinery of government, as in the wisdom of Her Majesty, and in the gracious spontaneous exercise of Her undoubted prerogative, she shall see fit to concede; but with a view, mainly, to secure in the framing and administering of the commercial and fiscal laws, some constitutional representation of the wants and grievances of the people, so as to take away even the pretext for unlawful agitation, and thereby remove for ever any cause which unhappily might have the smallest tendency to provoke a conflict of opinion with the authorities administering the Government.

It will naturally suggest itself to your Grace's mind, that there exists no free press in Gibraltar. On a recent occasion, a simple advertisement convening a public meeting with a view to memorialize the Home Government, and praying for an inquiry into the civil administration of Gibraltar, was refused insertion in

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the "Gibraltar Chronicle"; the publication being "objected to by the censor of the press." In like manner the manuscript copy of the resolutions, passed at the public meeting of the merchants, landowners and others, on the 13th October last, which authorized this deputation to proceed to London, a copy of which proceedings accompanies this letter [Enclosure, marked No. 8], was returned to the Exchange Committee, with a notice from the editor, intimating that the publication of the proceedings (of the said meeting) "was objected to by the censor of the press." We feel assured your Grace will not countenance such arbitrary interference as that which Sir Robert Gardiner, in the present instance, has exercised with the liberty of the press, and the right of British subjects peaceably to assemble in the public room of the Exchange, with a view to lay their complaints at the foot of the Throne, through Her Majesty's Secretary of State, or to make their grievances known to the Legislature. The notice signed by Mr. Adderley the Colonial Secretary, and inserted in the "Gibraltar Chronicle" of the 4th October 1853, intimating that the memorial addressed to your Grace, herewith enclosed, dated 30 September, respecting the trade of Gibraltar, was lying at the Exchange Rooms for signature, was purely an act of improper intervention, obviously meant to blind the home authorities, as leading to the inference that Sir Robert Gardiner sanctioned an expression of public opinion, which he had all along used every effort to stifle; and that the merchants who signed the memorial could not be permitted even to advertize the notice they had themselves prepared, unless with the formal sanction of the Governor.

The relation of these incidents naturally leads us to another subject, in which we are personally interested. The undersigned are members of an association or society, known as the Exchange Committee, which is annually elected by the merchants, landowners and others, convened by public notice in the "Gibraltar Chronicle." Being composed of merchants who meet together periodically, the consideration of commercial affairs absorbs their attention; and their meetings naturally assume the deliberative character of those bodies, known in England as chambers of commerce, by which title they are known and distinguished in Gibraltar.

As a mere organ of communication, they have frequently addressed representations to the Governor upon commercial matters exclusively, and we regret to say that not only has the present Governor exhibited extreme jealousy of this innocent proceeding, but his reception of their communications has been marked by unnecessary discourtesy and contumely. The associative principle being now so universal, in all the transactions of society, it has been found impracticable to ignore the existence of numerous respectable associations, which, be it remembered, possess no political character whatever. The great functionaries of the Crown have found themselves under the necessity of recognizing these unincorporated bodies as the organs of collective interests; and, as the Chambers of Commerce at Manchester, Liverpool, &c., as well as numberless similar associations in the metropolis, have received from the chiefs of every successive administration due and courteous attention to their representations; the business of the country could not otherwise be carried on. We therefore respectfully claim from your Grace a similar indulgence; and from the assurance we have received by Mr. Merivale, that your Grace will receive with attention any statement through our medium, as a deputation, we are encouraged to hope that you will issue such commands to the Governor of Gibraltar, as, without investing the Exchange Committee or any other similar association with any corporate or political rights, shall enable them to communicate with the persons administering the government of Gibraltar, in a manner conducive to their own special, as well as the public interests.

Before we conclude, we must briefly refer to the state of the public revenue and expenditure of Gibraltar. We cheerfully submit to the burdens imposed upon us to defray the necessary charges of the colony; but we respectfully submit, that these burdens, raised in Gibraltar by the prerogative of the Crown, which is anomalous with the practice which obtains in other parts of the Queen's dominions, would be more reconcileable to us, if the accounts of the revenue and expenditure of Gibraltar were included in the reports in the "Blue Books" of the state of the colonies of Great Britain annually laid before Parliament, or, that a salutary control over the taxation and expenditure, could be exercised by the people, who furnish such comparatively heavy contributions to the charges of the colony.

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With some difficulty we have obtained the latest accounts accessible, which we believe to be authentic.

The following account exhibits the details of the revenue and expenditure of Gibraltar, for the year 1849.

Revenue, 1849.	£.
Harbour Dues derived from Vessels frequenting the Port, Licenses to Hulks or Floating Stores	5,400
Wine Houses, Licenses	2,000
Taverns - - ditto	1,200
Wine and Spirit Stores, ditto	500
Billiard Tables - - ditto	180
Hawkers - - - - ditto	20
Eating-houses - - - ditto	8
Porters - - - - ditto	18
Carts - - - - - ditto	81
Marriages - - - - ditto	40
Brokers - - - - ditto	43
Tobacconists - - - ditto	45
Crown Lands' Office, from fees on documents	130
Police Office - - - ditto on Passports, &c.	320
Supreme Court - - ditto	350
Court of Requests and Sitting Magistrates, ditto	450
Cathedral Sittings	200
Post-Office, Postages Overland Mail	160
Wines and Spirits, duties	10,600
Auction Dues	1,200
Wharfage Tolls (levied to keep wharf in repair, and to clear the approach thereto, now in a very bad state for want of depth of water; the money levied being absorbed to pay Salaries)	700
Markets, Rent of Stalls at Waterport Market	200
Weighing Fees	170
Ground-rent from Government property let to individuals	4,000
Excess of Expenditure over Income	468
£.	28,483

Expenditure, 1849.	£.
Governor	5,000
Colonial Secretary's Department	1,630
Civil Engineer's Department	280
Auditor of Accounts	365
Collector's Department	1,850
Inspectors - ditto	1,140
Market Department 200 *l.*, Supervisor 50 *l.*	250
Port or Harbour Department - 3,470 *l.*	
Ship Chandler of "Samarang" (Guard Ship) - 80 *l.*	3,550
Post-Office, Overland Mails	186
Registrar of Births	20
Supreme Court	1,690
Attorney-General	900
Courts of Requests	550
Coroner's Department	140
Ecclesiastical ditto	460
Roman-catholic Priests (for military duty)	300
Police Department	3,300
Gaols	405
Schools	180
Allowances 360 *l.*; Contingencies 900 *l.*	1,260
Hospital	700
Military Roads (paid out of Civil Funds)	200
Alameda or Public Walk	40
City Improvement	100
Lighting City (the inhabitants pay 3½ per cent. for Lighting and Scavenging on the total rental; the Military portion being paid out of Civil Funds)	250
Assessments	40
Administration of Justice	60
Miscellaneous Sums	100
Works and Buildings	600
Pensioners	2,677
Ditto, paid in Gibraltar	260
£.	28,483

The List of Pensioners payable out of the Financial Chest of Gibraltar for the same Year of 1849, was as follows:—

	£.	s.	d.
Sir William Pym, presumed in the receipt of a large army pay, or a handsome retirement	300	–	–
John Coronel, 50 *l.*; Manuel Balelo, 10 *l.*	60	–	–
Four Children of Mr. Frome (children 40 years ago)	120	–	–
Ann Thompson	50	–	–
Three Children of Mr. Straith	30	–	–
Thomas Jones Howell, formerly judge for a few years, with a handsome salary	500	–	–
John Stedman, holding the appointment of Civil Secretary for four years, including one years' leave of absence, retired with	600	–	–
Thomas Kent, 100 *l.*; J. G. Birtuzzi, 65 *l.* for services in the Port Department	165	–	–
Francis Stokes, formerly Inspector of Revenues, salary then 300 *l.*, retired to make way for a successor, with	372	–	–
Edward Grillet (since deceased)	150	–	–
H. L. Wickham, who it is believed never performed a day's service	330	–	–
£.	2,677	–	–
Pensioners paid in Gibraltar	260	–	–
£.	2,937	–	–

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From these statements, it appears that the revenue of 28,015 *l.* in 1849 was exceeded by the expenditure of 28,483 *l.*; whilst the pensions, for the most part paid to sinecurists, who have rendered little or no services whatever to the colony, exceed one-tenth part of the entire income. The excessive salary of the Governor of 5,000 *l.*, the duties in time of peace being but little onerous, requires immediate reduction; and indeed the whole of the salaries payable to civil officers in the colony require revision. We forbear on this occasion from entering minutely into the details of the civil expenditure of the colony, trusting that your Grace will accede to the prayer of the memorialists, by issuing a Royal Commission to investigate this, and other matters affecting the colony, by instituting inquiries on the spot. We should then be prepared to show the general wasteful expenditure of the establishment, and to propose such reductions as, with due regard to the Queen's service, we should hope would be adopted; and above all, prevent the possibility hereafter, of any name being placed on the pension list, payable out of the revenues of the colony, unless for great and meritorious public services connected with Gibraltar.

All which we humbly lay before your Grace, praying your most serious consideration to the facts and statements we have here recapitulated.

In conclusion, we have to apologise for the length of this communication, but we have found it difficult from the multifarious nature of the contents, to compress them into a smaller compass.

It will, however, abundantly appear from the premises, that the trade and commerce of Gibraltar are suffering severely from the illegal fiscal regulations put in force by the actual Governor.

That he has crippled the trade and navigation of the port, by harsh and unnecessary restrictions.

That by closing the Land Communication with Spain, and by inconsiderate steps adopted with reference to existing quarantine regulations, he has injured the trade of the city and port, and produced deep distress among the resident population.

And finally, that by his injudicious civil administration, and his unjustifiable interference with the right of meeting, and liberty of the press, he has committed grave errors of government, and has overstepped his lawful authority.

We trust, therefore, that after our impartial review of the allegations we have found ourselves under the painful necessity of preferring against his Excellency, Sir Robert Gardiner, Governor of Gibraltar, your Grace will mark your sense of his conduct, by the expression of your strong disapproval.

Permit us to add our humble request, that your Grace will allow us, by according to the deputation the honour of a personal interview, an early convenient opportunity, to enable us to support the prayers of the memorialists by such interlocutory explanations as may strengthen our case, or elucidate the matters herein referred to; and with this respectful application, we leave the consideration of the enclosed documents in your Grace's hands, in the fullest confidence that ample justice will be rendered to all parties.

We have the honour to subscribe ourselves, with sentiments of the highest consideration and respect.

Your Grace's Most Obedient and Humble Servants,

(signed) *William Carver*,
John Peacock,
Deputation from the Merchants and Inhabitants of Gibraltar.

Enclosure No. 1.

Encl. No. 1.

To His Grace the Duke of *Newcastle*, one of Her Majesty's Principal Secretaries of State, having the Department of the Colonies.

The Memorial of the undersigned British Subjects, Merchants, Landowners and others, Inhabitants of the City of Gibraltar.

Humbly showeth,

1. That Gibraltar, since its capture, has been a depôt for British and foreign produce and manufactures, from which neighbouring countries have drawn supplies, and in which commercial transactions of great magnitude have been carried on. That the freedom of the port conceded by Her late Majesty Queen Anne, has afforded facilities in commerce, and induced

induced British and foreign merchants to recur to Gibraltar as a port of great convenience for the despatch of business.

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2. That from time to time restrictions have been placed upon the trade of Gibraltar, sometimes by Orders in Council, and sometimes by orders of the local authorities; and that such restrictions, always impolitic upon a transit trade, have most seriously affected the commercial interests of Gibraltar, by infringing the perfect freedom of its port.

3. That formerly certain duties on wines and spirits, and certain sums of money were received by the officer commanding his Majesty's garrison at Gibraltar as fees in certain cases for his own use. That in lieu of such fees and all other advantages which arose from his command, his Majesty ordered that an allowance out of the revenues of Gibraltar should be paid to such commanding officer.

4. That in 1809 the keepers of taverns were allowed to hold them by virtue of special permission of the Governors of Gibraltar for the time being, and upon the payment of 16 current dollars duty per butt of 117 gallons, and of an additional fee or duty on every license for retailing wines or spirits of three current dollars for every butt, 117 gallons. That the officer commanding had then the power to commute the said license fee or duty for an annual duty of 30 current dollars. That in 1816 these special permissions were withdrawn, and all retailers of wines and spirits and malt liquors, were obliged to take out licenses upon the payment for such license of 4*s*. 4*d*. per day. That at that time no duty was charged on wines consumed by private families. That a duty of about 5*s*. per gallon was charged upon spirits sold in all licensed houses. That in 1825 new regulations were put in force, reducing the duties upon spirits to 2*s*. 2*d*., which duty was levied indiscriminately upon all spirits or spirituous liquors of whatever description removed for consumption within the garrison, either by the licensed tavern keepers or by other persons. That wines then remained uncharged with duty. That all these regulations were imposed not for purposes of revenue, but for the purpose of increasing the value of wines and spirits in the licensed taverns, and to prevent drunkenness and disorders among the soldiers stationed in the garrison at Gibraltar. That in 1830 the Civil List of Gibraltar was greatly increased, new offices with large salaries were created, while a system of permits for the removal of wines and spirits within the garrison had brought into employment a large staff of revenue officers.

5. That in 1833 the local revenues were found insufficient to defray the large additional expenditure which had been unnecessarily imposed upon the colony, and it became requisite to raise a larger amount of revenue, which was accordingly done by the repeal of all former Orders in Council, and by the enactment of an Order in Council, dated 4th February 1833, fixing a duty upon wines of 4¼*d*. per gallon, and upon spirits 2*s*. 2½*d*. That even these duties and regulations were inadequate to protect or enrich the local revenues; and in 1841 another Order in Council was enacted, raising the duty upon the wines consumed in taverns, &c. from 4¼*d*. to 5*d*. per gallon, and also raising the duty from 2*s*. 2*d*. to 4*s*. the gallon upon spirits or spirituous liquors of whatever description, removed for consumption in the garrison, either by the licensed tavern-keepers or by other persons. That wines for private consumption yet remained uncharged with duty. That in 1848 the revenues were still insufficient to defray the expenses of the civil establishment, and upon the pretext that an inequality existed in regard of duties payable on wines, and that numerous frauds were committed, another Order in Council was enacted, dated 24th July, repealing all former Orders in Council, and imposing a duty of 20*s*. 10*d*. upon each pipe of wine introduced into the garrison or territory, thus charging, for the first time, the wines required for the private consumption of the inhabitants of Gibraltar; and though the preamble of the said Order in Council stated that the expense attending the system of partial impositions of duty would be reduced, the same large staff of revenue officers were still retained. In 1851 the revenues gradually declining, further taxation was resorted to; the revenue laws received still further revision, and new duties were imposed upon dealers in ginger beer and porter, as also upon keepers of lodging-houses.

6. That in the year 1852 your memorialists were informed, and they believed that the local authorities contemplated the enactment of new fiscal laws to wring more taxes out of the population of Gibraltar, and they resolved to assemble themselves in public meeting to petition your Grace's predecessor for protection and relief, praying that no fresh burthens might be imposed upon them, that the civil expenditure might be at once reduced and regulated by the altered condition and actual requirements of the colony. That his Excellency the Governor prohibited such meeting, thus depriving the people of one of their constitutional rights.

7. That your memorialists have had great reason to complain of frequent and vexatious changes in the fiscal laws of Gibraltar, which always had the effect of restricting and paralysing their trade, so much so that the trade of those merchants who were engaged in bringing to Gibraltar low priced wines, the growth of the neighbouring provinces of Spain, for mixing and preparing for foreign shipment, have been obliged to give up importing the same, and that such trade has been driven from Gibraltar into other channels.

8. That the restrictions and duties so often put upon wines and spirits, to the prejudice of those concerned in their sale, were not required by the exigencies of the public service to protect the public revenue, but they were enacted to collect a larger amount of revenue to defray the unnecessary and prodigal expenditure of a large civil establishment.

9. That British and Foreign merchants were in the habit of sending their wines and spirits to this port, where the same, upon their arrival, were discharged from on board the small craft in which they were brought, and stored in the bay until the arrival of the vessel

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to take them to the port of destination. That the wines and spirits so arriving in this port for re-shipment were, *ad interim*, stored on board of hulks, duly licensed as places of store of deposit. That this facility of transit existed until the period and subsequently to the accession of his Excellency Sir Robert Gardiner to the government of this fortress. That in 1850, and at this present time, a condition was and is inserted in the licences granted to the owners of the hulks, or floating stores, whereby they are specifically prohibited from storing spirits, the ostensible reason for introducing this reservation being the protection of the local revenue of Gibraltar, the authorities acting under the impression that spirits stored in the hulks in the Bay afforded facilities to parties intending to evade the revenue laws of Gibraltar.

10. That your memorialists humbly inform your Grace, that there is in the city of Gibraltar a large civil police force; that there are revenue officers, and a line of sentinels established along the walls of the fortress, all of whom have special instructions to prevent the illicit introduction of spirits or wines into the garrison of Gibraltar. That all wines and spirits are, according to the Order in Council, to be landed at the quay at Waterport, or introduced at the Bay side, the entrance from Spain. That revenue officers are stationed at each one of these points, and their duty is to see that no wines or spirits are illicitly introduced into the city, garrison and territory of Gibraltar.

11. That, consequently, the illicit introduction of wines and spirits is impracticable, if proper care and precautions are taken by the officers of the revenue to prevent it, although it cannot be denied that the excessive duty charged upon spirits offers inducements to evade the payment thereof.

That your memorialists are of opinion, that the most effectual mode to put an end to the illicit traffic in spirits would be to reduce the duty thereupon to so low a rate as to reduce the profits of the smuggler to the level of those of the fair trader.

12. That your memorialists are well aware that his Excellency may impose conditions in respect to the licences granted to the owners of hulks, but your memorialists submit that his refusal to permit the said hulks to store spirits was not called for under the circumstances; that the same was and is vexatious and unnecessary, and attended with great prejudice to the commerce of this city. The powers possessed by the police of the port, the civil police, the military on duty and the revenue officers, are amply sufficient, if properly exercised, to prevent any illicit traffic in wines or spirits, without the imposition of regulations to prevent the storage of spirits in the licensed hulks.

13. That, by the present regulations, spirits intended for transit shipment must be deposited in the Queen's stores, and there await the arrival of the vessel intended to convey them to the port of destination. That the expenses incurred in landing, for lighterage, wharfage and cartage to the Queen's stores, and subsequently for re-shipment, are so great, that the British and Foreign merchants who formerly availed themselves of the freedom of this port have ceased to do so, and this particular branch of trade is now almost extinct in Gibraltar, to the detriment of its merchants, and of a large portion of its inhabitants who were directly or indirectly employed or interested therein.

14. That your memorialists have further to represent most humbly to your Grace, that not only has his Excellency Sir Robert Gardiner restricted the storing of spirits on board of the floating hulks, but that he has endeavoured to charge with duty all wines and spirits bonded in the Queen's stores. Your memorialists are informed that, on or about the 21st July now last past, an order was given by his Excellency the Governor that no wines or spirits could be removed from the Queen's stores unless duty had been paid thereupon. That such order was withdrawn on the following day, and that further orders were given by his Excellency to the collectors of revenues to demand and exact the amount of the import duty upon wines transhipped in the Bay of Gibraltar. That such orders were afterwards greatly modified, but your memorialists are advised, and submit, with all deference to your Grace's judgment, that his Excellency has illegally extended the provisions of the Orders in Council for the regulation of the revenue of Gibraltar to the port, roadstead and anchorage of Gibraltar, and thereby invaded its freedom, which has been guaranteed to all the world.

15. That the provisions of the said Orders in Council are limited in their operation to the city, garrison and territory of Gibraltar, and do not extend, and were never intended or contemplated to extend, to the port, until the month of August 1853.

16. That such sudden and arbitrary restrictions and interference with trade are of great injury to the interests of your memorialists, and of the community at large, as well as most prejudicial to the public revenue. The restrictions upon the profitable employment of the licensed hulks have already caused several of them to give up their licenses, to the annual loss of revenue of about 200 *l.* sterling.

17. That your memorialists humbly and respectfully beg leave to call your Grace's attention to an official communication of his Excellency the Governor of Gibraltar, which appeared in the "Gibraltar Chronicle" of the 8th August 1853, addressed to the merchants, traders and inhabitants of the garrison and territory of Gibraltar.

18. That your memorialists, in common with the whole of this community, feel themselves to be deeply aggrieved and insulted by the tone, tenor and character of the said publication. His Excellency, in this communication, has addressed himself to three classes of persons; first, to some upright merchants, commercial friends, from whose experience, counsel and judgment he derives frequent aid; and, secondly, to those who have heretofore pursued an individual gain, to the detriment of the revenues of Spain, and the prevention of any commercial alliance between England and Spain. To the latter, his Excellency

lency recommends a change of market, and a future higher appreciation of the advantages of licit trade above contraband, with a more strict observance of international law.

19. That, with all due respect, your memorialists are at a loss to understand to whom his Excellency refers as upright merchants, it being notorious in this city, that all the merchants and traders resident therein are engaged to a greater or less extent in the same species of mercantile transactions; that they are importers into the city of Gibraltar of goods of British manufacture, of other articles of British produce, of tobacco, of wines and spirits, and of articles of Foreign manufacture.

20. That the whole of the imports into Gibraltar are either for its private consumption, or for sale to persons who may visit Gibraltar and purchase the same for export; that the ultimate destination of the merchandize so purchased (whether for licit or illicit introduction, either into Spain or other countries), is a matter in which your memorialists are in no wise interested or concerned.

21. That your memorialists are in the same position as the merchants and manufacturers of Manchester, Liverpool and Birmingham, and as the merchants of every commercial city or town in the world, who never trouble themselves with the destination of the goods they sell, and that neither your memorialists the vendors, nor the parties purchasing from them, are guilty of any breach of the laws in force in Gibraltar, or of any international law.

22. That your memorialists take the liberty of informing your Grace, that British staple goods are to a very great extent prohibited articles in Spain, plain and printed cottons not being admitted unless counting 26 threads in the ¼-inch; that the quantity of goods manufactured in Spain is far less than the quantity actually required by its 13,000,000 of inhabitants; that the prohibited articles of cotton manufacture are goods absolutely required for the necessities of the lower orders, and that if these goods are illicitly imported by Spanish merchants and dealers into Spain for the use of their fellow-subjects, such traffic is the necessary result of the injudicious and impolitic revenue laws of Spain. And your memorialists submit, that his Excellency the Governor of Gibraltar for the time being, hath no right or authority by virtue of his office to interfere with, impede, or in any case control commercial transactions conducted in the manner, in which from time immemorial, they have been, and still continue to be carried on in the city of Gibraltar. Is it not notorious that large quantities of the manufactures of Great Britain are illicitly introduced into tariff-bound countries? Is it not notorious that French goods are openly carried into Spain? Is it not also notorious, that fully two-thirds of the British manufactured goods imported into Portugal are for the purpose of being sold to Spaniards, and carried across the frontier into Spain? Yet the revenues of the Queen of Portugal are enriched by such traffic. Who ever heard of the French Government, of the Portuguese Government, or of any government in the world, restricting their national industry and commerce for the sake of protecting the tariffs of other countries? In many cases tariffs are avowedly framed with hostile views upon the interests of foreign countries. Experience has proved to a demonstration, that prohibitions and excessive duties have most mischievous effects upon national morals, as well as upon the national exchequer; and that tariff reforms are only brought about by the conviction that restrictive systems are most prejudicial to the material interests of the nation that adopts them.

23. That while the laws of England and the laws of nations are so clear in sanctioning the trade of Gibraltar, your memorialists have the painful necessity of informing your Grace, that his Excellency Sir Robert Gardiner, the present Governor of Gibraltar, is labouring under some strange misconception as to what is and is not illicit traffic in Gibraltar; that he is under the impression that his duty as Governor of Gibraltar is not confined solely to Gibraltar, and to the government of its inhabitants, but that the same extends to the protection of the revenues of her Majesty the Queen of Spain; and that he has in consequence frequently interfered with, and endeavoured to exercise an arbitrary control over the trade of Gibraltar. His Excellency is exercising such control under the very mistaken notion, that the traffic in Gibraltar, which may lead to smuggling in Spain, is an illicit trade in Gibraltar, at the same time that his Excellency forgets that a considerable portion of the revenues of Gibraltar is collected from this very traffic which he denounces as illicit traffic.

24. That the trade of Gibraltar is altogether a licit traffic, your memorialists feel assured they shall most satisfactorily prove, by reference to the text books of native and foreign jurists, and by the ruling of the late noble and learned Lord Chief Baron of the Court of Exchequer, a court pre-eminently qualified to pronounce judgment upon questions of revenue and international law. Mr. Justice Story says, in his celebrated work on the Conflict of Laws, p. 332:

"It has long been laid down as a settled principle of international law, that no nation is bound to protect or regard the revenue laws of another country, and, therefore, a contract made in one country by subjects or residents to contravene the revenue laws of another country, is not deemed illegal in the country of its origin. This doctrine seems to be too firmly established in the actual practice of modern nations to be shaken."

The law thus clearly enumerated by Mr. Story, is confirmed by the foreign jurists Pothier and Valin, and is recognized in the English courts of law as unquestionable law. In the case of Pillicat *v.* Angel, Lord Abinger, then Chief Baron of the Court of Exchequer, in his judgment says,—

"It is perfectly clear that where parties enter into a contract to contravene the laws of their own country, such a contract is void; but it is equally clear, from a long series of cases, that the subject of a foreign country is not bound to pay allegiance or respect to the revenue laws of this, except indeed, that where he comes within the act of breaking them here,

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here, he cannot recover here the fruits of that alleged act. But there is nothing illegal in merely knowing that the goods he sells are to be disposed of in contraband, in contravention of the fiscal laws of another country. It would have been most unfortunate if it were so in this country, where for many years a most extensive foreign trade was carried on directly in contravention of the fiscal laws of several other states."

25. That your memorialists confidently submit, that even that portion of the trade of this community to which the Governor evidently refers as illicit, is perfectly licit; and that the observations of his Excellency, as applied to your memorialists, are wholly irrelevant and incorrect, whether taken in a moral, legal, or international sense.

26. That your memorialists have just ground of complaint in respect of the language used and the remarks and observations applied by his Excellency the Governor to this community, in an official notice published in the Government organ, in which he denounces your memorialists as persons engaged in illict trade, and in the practice of committing breaches of international law.

27. That your memorialists have further cause of complaint that his Excellency the Governor has departed from the line of conduct pursued by every former Governor of this city, garrison and territory, with respect to non-interference with matters of trade. That having denounced the trade of Gibraltar as illicit trade, his Excellency Sir Robert Gardiner, has taken upon himself the care and protection of the revenues of her Catholic Majesty by making new regulations, and by giving new orders relative to persons leaving Gibraltar with merchandise purchased therein. The consequence of which has been, and still is, that persons who were in the habit and practice of coming to this city for the purpose of making purchases, are gradually ceasing so to do. That the trade of this city is thereby much prejudiced, and will continue to decrease if these impediments and obstructions continue in force.

28. That in proof of the obstructions placed in the way of purchasers from Spain, your memorialists humbly beg leave to call your Grace's attention to a protest made in the prison of St. Roque by one Manuel Ramos Ortigosa against the military authorities of Gibraltar. Translation of which, duly attested, your Grace will find annexed to this memorial. That the said declarant states, that on the 11th August last, at noon, he was standing beyond the English sentinels of the advanced guard on the frontier line of Gibraltar, in charge of a small bale of tobacco, with which a companion, one Domingo Olite, had entrusted him. That the English sentinel ordered him to move away and carry with him the said bale of tobacco. That he did not at once obey the order of the sentinel, because he was fearful that he and his goods would fall into the hands of the Spanish advanced guards. The serjeant of the guard then came and ordered him away, and as he did not at once obey, he was arrested and put in the guard-house. That the next day he was marched out from Gibraltar in the custody of a file of British soldiers, and delivered over to the military commandant of the Spanish lines. That the said Spanish commandant received the declarant upon the authority of a letter from the Town Major of Gibraltar, delivering him up to Spanish law. That he was carried by Spanish soldiers to Algeciras and there lodged in prison. That he has since been taken to St. Roque, and that in that town he now lies a prisoner. That having committed no offence against Spanish law, he is confident of an acquittal in the Spanish court; but he protests against the military authorities of Gibraltar for having delivered him over to the Spanish authorities for an alleged offence against English soldiers. And he asserts that if he has committed any offence against English law, that he should be punished by English law.

29. That your memorialists regret to inform your Grace, that their knowledge of the course of Spanish justice towards the poor leads them to believe that this unfortunate man in the prison of St. Roque, having no means to conduct his defence, will remain in prison for a considerable period. That they most humbly entreat your Grace to take this unprecedented case of oppression and wrong into your most serious consideration. They respectfully submit that the declarant, though a foreigner, has a right to claim our hospitality and the protection of our law. They therefore humbly implore your Grace at once to interfere in this behalf, and to give instructions that the national authority may never again be employed in delivering up for punishment, by a foreign nation, a person charged with any offence against British law.

30. That your memorialists have further to represent to your Grace that the opinion publicly expressed and acted upon by his Excellency the Governor with respect to the trade of Gibraltar, has had the effect of inducing the Spaniards to take measures and to do acts in the immediate neighbourhood of Gibraltar which are wholly unprecedented, and in proof thereof, your memorialists will respectfully instance to your Grace an occurrence which lately took place upon the neutral ground.

31. On the 7th day of this instant, September, a party who had left Gibraltar, and had passed the line of English sentinels, remained stationary at a few paces beyond the line with some goods they had in their possession, that about dawn one of the party descried some of the Spanish Carbineers or revenue officers approaching the spot where the party was reposing and gave the alarm to his companions; they all, with exception of one person who was asleep, fled towards the line of English sentinels, on reaching this line the party was ordered back by the English sentinels, and the person who was asleep was shot to death by the Carbineers as soon as they had reached the spot where he was reposing, which was about 47 paces more or less from the line of English sentinels; and three other persons were wounded and subsequently conveyed to the Civil Hospital in Gibraltar. Such an outrage your memorialists confidently affirm is without precedent. The operations of the Spanish revenue

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revenue officers have heretofore been confined within their own lines, and during the term of office of former Governors they never ventured or attempted to exercise any authority on what has been called the Neutral Ground, being the territory between the barrier gates of Gibraltar and the Spanish Lines. And your memorialists feel no hesitation in stating to your Grace that the revenue officers of Spain have been emboldened to extend the limits of their operations in consequence of the openly expressed and avowed opinion of his Excellency the Governor.

32. Your memorialists humbly submit that the lives of Her Majesty's subjects and the troops on duty may be endangered by such acts of violence, if the Spanish Carbineers are permitted to approach within a few paces of our sentinels and there open fire; and your memorialists humbly submit that such acts on the part of the revenue officers of Spain in the immediate vicinity of a line of English sentinels, are outrages on the British flag, and unquestionably a breach of international law.

33. That your memorialists humbly represent to your Grace that this cold-blooded murder of a man sleeping in security in the immediate vicinity of British soldiers, excited the greatest horror and indignation in the minds of Spanish officials, and of the Spanish people. The Carbineers were at once arrested, and their conduct is under judicial investigation in the criminal court of Spain.

34. That your memorialists are under the painful necessity of calling your Grace's attention to a garrison order of his Excellency the Governor, published in the official Gazette on the 7th September instant as follows:

"Garrison Order.

"1. Captain the honourable George Douglas having been relieved from this command, the Governor feels called on to offer his acknowledgement of the aid he has at all times, in their relative duties derived from the zealous co-operation of that officer, and the officers and crew of Her Majesty's ship "Cruizer," during the period he has been employed on this station.

"2. Circumstances of local character, and the continued disorders of the persons engaged in the pernicious, and, as the occurrences on the Isthmus last night prove, murderous trade of smuggling, have rendered these duties more than ordinarily laborious, particularly during the night.

"3. The Governor will not fail at the earliest moment to report to Her Majesty's Government the sense he entertains of the benefits rendered to Her Majesty's service by the zeal, vigilance and activity of Captain Douglas and the officers and men under his command."

(signed) "*Robert Gardiner.*"

35. That from the wording of the second paragraph, persons at a distance, unacquainted with the sad details of the case, would suppose that the murderers were the smugglers, and not the Spanish revenue officers, and that the honourable Captain Douglas took part in the fatal events of the previous night.

36. That your memorialists entirely disclaim the intention of commenting upon the public expression of thanks of the Governor to the gallant officers of Her Majesty's ship "Cruizer," for their obedience to his orders; but your memorialists have reason to believe, that the orders given to Her Majesty's ship "Cruizer" were to the effect that her officers should prevent all boats in the Bay from moving during the night. That on the night of the 24th August, a small Spanish boat, value 3*l.*, with goods on board of the value of 3*l.* 10*s.* left the port before gun-fire; that being chased by a small Spanish revenue boat, the Spaniards returned into our waters; that upon so entering, the boat and the men on board were seized by the "Cruizer," and detained in custody during the night. That on the following morning the men were taken before the acting Captain of the Port, summarily convicted, and fined 10 dollars, under the authority of the 14th clause of the Order in Council, 6th February 1832, as follows:

"If any lighter, gondola, launch, or boat of any description, shall be found pulling or sailing about later than forty minutes after the first evening gun-fire, except with permission of the Captain of the Port, or in case of necessity to be allowed of by him, the owner or other person having charge thereof, shall forfeit and pay for every such offence the sum of ten dollars."

37. That Spanish boats with goods purchased in Gibraltar, have never been prevented leaving the Bay of Gibraltar during the night, nor has the above 14th clause been applied at any time to the said Spanish boats. That protection has been at all times afforded them when they sought the security of British waters. Your memorialists therefore firmly submit that the restrictions now placed upon the boats and vessels leaving and entering the port with British merchandise, have never been imposed by any former Governor of Gibraltar, and that such restrictions upon trade are most unnecessary and oppressive.

38. That, as further proofs of the results and consequences of the vexatious orders which are continually being given by his Excellency, your memorialists will respectfully bring to the notice of your Grace that his Excellency, at the commencement of the present month, gave orders that carts were not to be permitted to pass from the western to the eastern sides of the north front, or Neutral Ground, or orders virtually to that effect. The mortar required for building purposes in Gibraltar has been for very many years, and is still prepared and made up on the Neutral Ground; and ballast, both sand and stone, is obtained from the same place for vessels requiring it. In consequence of these arbitrary and vexatious orders, mortar for the buildings, or repairs of buildings in Gibraltar could not be obtained, and the

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works were suspended; and the poor unfortunate workmen were discharged, and ballast could not be obtained for vessels in the port requiring it, which occasioned delay and inconvenience. These orders your memorialists understand have since been annulled or modified; but other orders have been given and remain in force, and have already caused much inconvenience and suffering to those affected thereby. For very many years the fishermen of Catalan Bay (a small fishing station on the eastern side of the rock and in the territory of Gibraltar) have been allowed to fish, to land and draw up their nets upon the eastern beach within the English lines. That since the publication of the Governor's address of the 8th August, his Excellency has given orders that the said fishermen shall not be allowed to fish, to land, or draw in their nets within the limits of the English lines, and that they shall only be permitted to do so in Catalan Bay, a distance of more than half a mile from the advanced line of English sentinels. That your memorialists humbly represent to your Grace that it is not at all times practicable in an easterly wind when the full swell of the Mediterranean Sea breaks in upon the beach, for the fishermen to bring up their boats, or draw in their nets at one particular spot. That these poor fishermen have constantly received permission from the Government at Algeciras to fish upon the Spanish coast, and that they are now compelled to land their nets upon the Spanish beach, thus imposing upon them the fatigue and expense of carrying their fish from a considerable distance into the market of Gibraltar. That the reasons of these orders are unknown to your memorialists, and that it is difficult to conceive their object; but your memorialists humbly submit that the same are unnecessary and oppressive, and ought not to be imposed upon a most useful and industrious class of this community. And your memorialists earnestly implore your Grace, that this community may not be subjected to the loss, damages, and prejudicial consequences of such acts on the part of the person administering the government of Gibraltar.

39. That your memorialists venture most respectfully to intrude further upon your Grace's attention, in order to represent to your Grace that they believe that the Governor of Gibraltar, in his mistaken zeal to conciliate the Spanish Government by restricting the lawful trade of Gibraltar, is under the conviction that he will induce that Government to concede great commercial privileges to England and to Gibraltar. And his Excellency, in his address of the 8th August, has alluded to the appointment of a collector of customs at the Lines, "as opening ramifications of highest importance and advantage to the course of free licit trade generally, and to this locality especially."

40. That your memorialists take the liberty of informing your Grace, that many of the inhabitants of Gibraltar are in the habit of residing in the Spanish villages adjacent to Gibraltar during the summer months; that from time immemorial the provisions which they required for the use of their families were allowed to pass duty free by the courtesy of the Spanish authorities; that the Spanish poor who came in to supply the Gibraltar market with fish, fruit, vegetables, and other articles were also allowed to carry with them on their return to Spain small quantities of tea, sugar, coffee, dried fish, and other necessary articles which they required for the consumption of their families.

41. That since the establishment of the Custom-house at the Spanish Lines, duties are charged upon provisions, and upon all articles of colonial produce; but that the inhabitants of Gibraltar have no reason whatever to complain of the establishment of duties which are also equally imposed upon Spanish subjects.

42. That your Memorialists beg leave to remind your Grace, that Spain, faithful to her traditions, has adopted, as a portion of her commercial policy, the system of differential duties.

	Per centum.	
Tea, imported direct from the Philippine Islands, in foreign vessels	26	Pays a differential duty of
Tea, imported from indirect ports in Spanish ships	102	
Tea, imported imported from indirect ports, in foreign ships	150	
Sugar, white and brown, produce of, and proceeding in a foreign ship from Spanish possessions of America	452	
Sugar, imported from indirect ports in Spanish ships	100	
Sugar, imported from indirect ports, in foreign ships	150	
Coffee, produce of Spanish possessions in America, imported in foreign ships from place of growth	95	
Coffee, imported from indirect ports in Spanish ships	150	
Coffee imported from indirect ports in foreign ships	275	
Coffee, produce of Spanish possessions in Oceania, imported in foreign ships	297	
Coffee, imported from indirect ports in Spanish ships	471	
Coffee, imported from indirect ports in foreign ships	755	
Codfish, direct from the fisheries, in foreign ships	33	
Codfish, imported from indirect ports, in Spanish ships	50	
Codfish, imported from indirect ports, in foreign ships	87	
Cinnamon, from Ceylon, imported direct in foreign ships	20	
Cinnamon, imported from indirect ports in Spanish ships	50	
Cinnamon, imported from indirect ports, in foreign ships	80	
Cotton, the produce of Spanish possessions, imported in foreign ships	260	
Cotton, the produce of foreign places, imported in foreign ships	135	
Cotton, the same produce, if imported from indirect ports in foreign ships	472	
Cotton, the produce of Spanish possessions, if imported from an indirect port in foreign ships	765	

43. That

43. That in consequence of the said differential duties, it is impossible that any articles of colonial produce can be passed through the custom-house at the Lines by the merchants and traders of Gibraltar. They can find in Spain no profitable market, as such articles may be purchased on cheaper terms in the ports and in the interior of Spain; and the Spaniards in the neighbourhood actually draw their supplies from Cadiz, Malaga, and other places.

44. That no cotton manufactures of any kind (not even those fine qualities admitted in the national ports under the tariff) can be entered at the custom-house at the Lines. It is only authorized to receive duties upon provisions and upon articles of colonial produce, which, as your Grace perceives, are almost prohibited by reason of the differential duties.

45. That your Grace will be scarcely prepared to hear that the inconsistencies of the Spanish tariff are such, that tea and sugar imported into Spain through the Lines, pay actually 25 per cent. more duty than they would pay if they were imported from Gibraltar in a Spanish ship into a Spanish port.

Coffee in like manner pays	-	-	-	-	50 per cent. more duty	than if imported into any port of Spain in a Spanish ship, cleared from Gibraltar.
Fish	- - ditto	-	-	-	23 - ditto	- -
Butter	- ditto	-	-	-	25 - ditto	- -
Cocoa of Caracas and Trinidad		-	-	-	28 - ditto	- -
Cocoa of Guayaquil	-	-	-	-	45 - ditto	- -
Cheese	-	-	-	-	20 - ditto	- -

Butter actually pays duty 50 per cent. upon its value.

46. That though the duties at the Lines have been most rigorously enforced upon the smallest quantities of provisions, such as upon half a pound or a quarter pound of sugar, a few ounces of butter, and even upon pastry made in Gibraltar (bread given in Gibraltar to the Spanish beggars is taken from them at the Lines), your memorialists are credibly informed, and they fully believe, that the entire receipts of the said custom-house, during the first four weeks of its establishment, amounted to no more than the sum of about 16 *l.* sterling, and from this amount must be deducted 5 *l.* for the expenses of the collector and his office; that, for the three weeks ending the 17th September, the receipts were about 8 *l.*, and the expenses of collection continue at the rate of 5 *l.* per month. It is generally anticipated and believed that after the month of October, when the English families return to Gibraltar, the whole duties collected will not be sufficient to pay the salary of the solitary person employed in the collection thereof.

47. That your memorialists are most anxious, but quite unable, to see any practical benefits which have accrued or may accrue to Gibraltar, to England, or even to Spain herself, by the establishment of such a custom-house as the one lately placed at the Lines. No concessions, no novel or peculiar privileges, have been given to Gibraltar by that establishment; and your memorialists are at a loss to find resulting therefrom "those ramifications of highest importance and advantage to the cause of free licit trade generally, and to this locality especially," which his Excellency has predicted. Your memorialists are therefore constrained to protest against the restrictions which the Governor has imposed upon their trade, for the purpose of obtaining some possible commercial concessions from the Spanish government; and they contend that it is as contrary to national interests, as to diplomatic usage, to make concessions to foreign countries, without receiving some equivalent for the same. What equivalent has the Governor of Gibraltar received for the restrictions which he has already placed upon the lawful trade of Gibraltar? It is not reasonable to suppose that the Spanish, or indeed any nation, would make commercial concessions unless each could see that it would be to her own interest and advantage so to do. No practical statesman can hope to bring about tariff reforms in other countries by placing restrictions upon their own national trade, for such a policy would have the effect of perpetuating unsound systems of commercial government. If the trade of Gibraltar were at once destroyed, and not one piece of British manufactured goods could be found within her walls—if Spain kept up high protective duties and prohibitions—would the quantity of manufactured goods illicitly introduced into Spain be at all reduced? The law of trade would soon force open other channels of supply, and the revenues of Spain would still continue to be impoverished by her own impolitic fiscal laws.

48. That upon all this showing your memorialists hope that your Grace may be convinced that "the small bright spark of licit trade, lighted by her Catholic Majesty's Government in this remote locality," has not been attended, nor likely to be attended, with any high commercial benefit to England or to Spain. The restrictions which his Excellency has placed upon trade in order to fan this spark of licit trade into a blaze, have had already disastrous effects upon the commerce of Gibraltar.

49. That in conclusion, your memorialists respectfully submit to your Grace, that his Excellency has not legitimate authority for imposing restrictions upon the trade of Gibraltar. That by so doing, his Excellency is, in fact, assuming a power which is not assumed or exercised by Her Majesty the Queen, or by her Majesty's Government in England, over the commerce of Her Majesty's subjects there. Does Her Majesty's Government, do the collectors of customs or the police, question or exercise a control over foreign merchants

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when they resort to Great Britain for the purpose of purchasing British goods? Does Her Majesty's Government endeavour, directly or indirectly, to prevent the export of goods if there is reason to suspect that the same may be intended to be introduced illicitly into some foreign country; if such control is not exercised in England, and your memorialists confidently affirm that it is not, either in England or in any other civilized county in the world, then your memorialists claim that they may not be subjected to such vexatious, and they will add, illegal interference and control on the part of his Excellency the Governor of Gibraltar.

50. That your memorialists are persuaded that it is unnecessary to enlarge upon the importance of the trade of Gibraltar. Your Grace knows well that it is a barren rock, producing nothing for the support of its inhabitants, who entirely depend upon its commerce for their subsistence and support. The commerce of Gibraltar in former years greatly assisted the British army in Spain with supplies of money, of clothing and of provisions; that trade, and that trade alone, has made every square yard of land which may be built upon to be of great value in Gibraltar. The trade of Gibraltar has also greatly enriched the local revenue, which hitherto has been large enough to defray all the expenses of the local government, and at different times large amounts of money as surplus have been remitted to the Imperial treasury; yet such a trade as this, which even now consumes of the productions of Great Britain upwards of half a million sterling, the Governor of Gibraltar is anxious to annihilate, in order to obtain concessions similar to that which has been given to Gibraltar by the establishment of the custom-house at the Lines, admitting only articles of colonial produce almost prohibited in Spain by high differential duties.

51. Your memorialists humbly represent to your Grace, that it may be very well for his Excellency Sir Robert Gardiner to recommend the inhabitants of this city to seek some other market; such a measure is more easily suggested than effected. What are your memorialists to do with the large quantities of British goods and produce which they now have lying in their warehouses; how can the merchants collect the large amounts of property which they have trusted to the traders of Gibraltar upon the faith of enjoying that freedom of trade, and that protection and security which have been extended to the merchants and traders ever since Gibraltar came into the possession of the Crown.

52. The population of this city is about 15,000 persons, all more or less connected with, or interested in its commerce, and the measures adopted by his Excellency must necessarily reduce the commerce of this city, and materially affect the welfare of the inhabitants; the result eventually being that the more affluent portion of the community will leave Gibraltar for other places where they can enjoy greater commercial freedom, and the poorer classes will remain, and be reduced to a state of indigence and of misery, and become a burthen on Her Majesty's Government: such results, and other prejudicial and ruinous results, to the landed interests and to the public revenue, will be the consummation of the measures of his Excellency the Governor if continued and persisted in, but your memorialists appeal to your Grace to prevent such consequences. Your memorialists regard your Grace as the protector and guardian of Her Majesty's subjects resident in Her Majesty's colonies, but more especially of colonies such as Gibraltar, which are not possessed of any legislative council or recognized representative body.

Your memorialists, therefore, humbly pray, that the transit trade in spirits may not be interfered with or impeded by any vexatious conditions, but that spirits for transit may be permitted to be stored in the licensed hulks as heretofore; that your memorialists may be secured the enjoyment of the blessings and advantages of commercial freedom in their dealings, to as full an extent as the same is possessed and enjoyed by British merchants in England and other parts; that your memorialists and this community at large may be protected from vexatious and arbitrary orders and regulations, control and interference on the part of the Governor of Gibraltar for the time being (a control and interference to which this community was never, since the cession of Gibraltar to Great Britain until the present time, subjected); and that the provisions of the Order in Council for the regulations of Her Majesty's revenues may be confined and limited in their operation as heretofore, to the city, garrison and territory of Gibraltar, and as intended and contemplated therein; and that the freedom of the port of Gibraltar may not be infringed upon; and your memorialists humbly and respectfully pray, that your Grace will be graciously pleased to give the necessary instructions and directions herein.

And your memorialists will ever pray.

Enclosed are the following papers:

No. 1.—The "Gibraltar Chronicle," No. 4,857, 8th August 1853.

Nos. 2 & 3.—Copy Translation of the Town Major's Letter, 12th August 1853, and Copy of Protest of Manuel Ramos Ortigosa.

(signed) *Carver, Brothers,*
Middleton Bland & Co.
[and 392 others.]

Gibraltar, 30 September 1853.

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Memorial from Merchants of Gibraltar.

Sub-Enclosure 1, to Enclosure No. 1.

Extract from the "Gibraltar Chronicle," dated Monday, 8 August 1853.

NOTICE.

Secretary's Office, Gibraltar, 8 August 1853.

THE following communication from his Excellency the Governor to the merchants, traders and inhabitants of Gibraltar, on the appointment, by her Catholic Majesty's Government, of a collector of customs at the Spanish Lines, is inserted for the information of the public.

By command,

(signed) *G. Adderley,*
Colonial Secretary.

To the Merchants, Traders and Inhabitants of the Garrison and Territory of Gibraltar.

Convent, Gibraltar, 8 August 1853.

YOUR attention must have been given in various ways, according to its bearing on trade, to the recent appointment by her Catholic Majesty's Government of a receiver of customs (*un fielato de aduanas*) at the Spanish Lines, for the purpose of collecting the duties payable on such articles of provisions as are liable, by the Arancel de Aduanas, to taxation on being imported into Spain.

This was certainly an unlooked-for appointment to persons who are not observers of the gradual progressive reform of the Arancel in Spain.

On a cursory view, and by a certain class of interests, the appointment will be denounced as ruinous and proscriptive to their trade. But this would be a limited and superficial view of its purport, which, on a disinterested consideration, will be found to open ramifications of highest importance and advantage to the cause of free licit trade generally, and to this locality especially.

With the official notification of this appointment I learnt, also, that the tickets or passports, hitherto required and paid for at the Lines by persons passing with provisions to the Gibraltar market, had, by command of her Catholic Majesty's Government, been suppressed; and that in future these data would be taken on the verbal declarations of the parties themselves.

All unprejudiced and disinterested persons must see in this decree a further proof of the gracious desire of the Sovereign, and the good will of the Government of Spain, to contribute as much as possible to the health, welfare and comfort of this garrison, and established licit commercial dealing with its trading community; and, both in its future social and commercial advantages, it should be viewed as a lawful means of carrying out the beneficial purposes of those decrees which suppressed the tax on provisions coming by land and sea to the Gibraltar market, and that great boon conceded to the commercial community of the place—I mean the grant of the "Spanish flag"—all being unquestionable proofs of good-will and enlightened purpose, and should each influence the spirit in which we ought to acknowledge and receive them.

The observations and the counsel I am about to offer on this occasion will be read, or heard of, by three classes of persons forming this community.

1st. By some upright merchants, commercial friends, from whose experience, counsel and judgment I derive frequent aid, and who personally possess my regard, my confidence, and my respect.

To these I appeal with confidence in their endeavour to promote and mature whatever advantages may develop themselves in this opening afforded by her Catholic Majesty's Government to licit trading, to however small an extent, with Gibraltar. It is a step forward in the right path.

2d. They will be read by many who have heretofore pursued an individual gain to the detriment of the revenue of Spain, and the prevention of any international commercial alliance between England and Spain.

To these I recommend a change of market, and a future higher appreciation of the advantages of licit trade above that of contraband, with a more strict observance of international law.

3d. They will be heard of, if not read, by persons who acknowledge no law, and who would, if permitted, subvert all law, and all restraints of law. These are the unfortunate poor who gain a hazardous and precarious livelihood in the frauds of smuggling for the benefit of their richer employers. Such can only be restrained by the terrors of the law, by its penalties and its power

In her commercial emancipation, that is, throwing off the trammels of smuggling and adopting the free paths of licit trade, Spain has a high and noble destiny to fulfil, in which she will have the ardent and fervent wishes for her success of every honest mind in Europe. We, of Gibraltar, above all other people in the world, brothers as it were of Spain, are, by every tie of honour and probity, bound to act with and support her. Let us, therefore, seek our future trade with Spain in her ports, and among her merchants. In such a course of trade, in such an alliance of licit commerce, we shall alike contribute to benefit Spain and England; while, as traders, we shall individually reap wealth and reputation. We

I.
Memorial from Merchants of Gibraltar.

cannot too often or too strongly impress on our own minds that the vicious and empty bubble of smuggling has burst; and that all who would vainly again seek to restore it, will but render their future fortune and trade a blank.

There is another class among us to whom I have still to address myself; they may be designated as the floating alien population of Gibraltar. I do not mean that class of aliens who resort hither to pursue an audacious and licentious traffic, and who, abusing the freedom of the port, would, if not prevented, violate its laws and defraud its revenue. That is not the class to whom I address myself. My appeal is to those thousands of Spaniards whom in my heart I love, and whose welfare and interests I ever have and ever will continue to labour for and promote.

These persons, friends as I regard them in their adversity, have till now carried on a petty smuggling trade, affording scarcely the means of keeping life and soul together, being for the most part the mere gradations and working tools of commissioned smugglers and capitalists, a class of men who prey upon the state, make enormous gains themselves, while the poor hard-working smuggler is driven into the course of an unlawful life to procure the scanty means of feeding his wife and children, a life of want and crime, entailing certain national impoverishment, to promote the selfish gains of the rich smuggler. To this suffering class I hold forth my hand as a friend, with the offer on this occasion of honest, true, and most sincere counsel.

The establishment of a custom-house receiver at the Spanish Lines is one of the first measures that might have been expected from a Government entertaining views of protecting the national revenue in this locality; and it is to this appointment I call the attention of the traders who resort to Gibraltar for supplies of goods or provisions, for the purposes of wholesale or retail sale in Spain.

It appears hard to recommend to a Spaniard a course of trade which may at first afford but little profit, while one of the provinces of his country remains an ostentatious example of the pursuit of unmolested thriving contraband. Cataluña at this moment holds exclusively in her iron grasp the whole and entire trade of Spain. The prostration of trade in all other parts of Spain is the consequence. Hence the enormous high tariff of Spain; and hence the smuggling of Spain. It is a state of things that cannot last. All the measures of her Catholic Majesty's Government in the last year were all steps in advance for its correction; nor can it be expected that a country like Spain, boundless in its fertility and resources, should be kept paralyzed, or that the comfort and riches of its noble people should remain subservient to the commercial monopoly of one of its provinces. Even the bales of merchandize dispersed through Spain from Cataluña are frequently not the manufacture of Spain, but that of other countries illicitly imported into Cataluña ready prepared, with a counterfeit stamp of Spanish national manufacture.

To you, my friends in this locality, I unreservedly express an ardent hope that you will avail yourselves of the opening, afforded you by her Catholic Majesty's Government, of commencing a licit career of trade with Gibraltar. You will find, that even in the outset honest trade will secure more money to your pocket than smuggling. You will only have to pay (and at a lower rate) to the custom-house officer the duties on licit traffic, which you have heretofore paid in fees for smuggling. Only mind that you do not pay both the duties and the fees, or you will render what was intended by your Government as a benefit an unsupportable burden. Be strictly observant, therefore, in payment of all lawful duties, which you can know from the printed tables of the Arancel, which of course will be always open to your inspection. A beneficial change for your advantage will show itself sooner than you expect; you will find how easy and profitable free honest trade really is; and, by its pursuit, you will enable the Government of your country to expand its limits, and gradually relieve the burdensome restrictions caused by smuggling. The small but bright spark of licit trade, lighted by her Catholic Majesty's Government in this remote locality, will, I predict, at no very distant period be attended with high commercial benefit to England and Spain; and much depends on you to promote that benefit to the advantage of your country and yourselves.

This is the counsel of a friend, offered to you in true and earnest sincerity. In the true spirit of a friend I appeal to you, for your own sakes in this world and the world to come, to cast off the fraud and falsehood and perils of a smuggler's life. Have better views; cultivate only the hopes of honest gain in this world, and dread the terrors of the next, which afford no hope to those who pursue a life of violence, perjury and murder, all crimes inseparable from a life of smuggling. Do so; and so your life will become happy, prosperous, respected and useful.

I will conclude this earnest counsel with the reflections of one of your own countrymen on the subject. Sincerely feeling, and impressed with their force and truth myself, I transcribe them, as I hope for your remembrance, warning and instruction:—

"El Contrabandista es una mezcla de las cualidades mas opuestas, y una amalgama de las mas encontradas costumbres.

"El Contrabandista hace por lo comun grandes provechos, y, sin embargo de ésto, muere pobre y miserable, porque lo que gana ó lo gasta en comilonas y borracheras, ó lo pierde de una vez al juego, ó se queda, como suele decirse, entre 'Músicos y Danzantes.' Fuera del Contrabandista en comision, todos los otros hacen en general una vida desastrada, que los placeres vienen solo á animar de vez en cuando. Frecuentemente paran en Ladrones o Bandoleros, para cuyo oficio el contrabando es una excelente preparacion. Y, miéntras tanto, los funcionarios civiles y militares, los comerciantes, los mercaderes, todos cuantos participan

participan de los beneficios del Contrabandista, terminan tranquilamente su existencia sin que los presidios los amenacen y los azares de la profesion los alcancen casi nunca. Ninguno pues mas digno de compasion, ninguno cuya suerte deba inspirar tanto interes entre todos los que, sin llevar el mismo nombre, hacen el contrabando."

(signed) *Robert Gardiner.*

Sub-Enclosure 2, to Enclosure No. 1.

TRANSLATION from the Spanish.

Town Major's Office, Gibraltar,
12 August 1853.

Dear Sir,

By order of his Excellency the Governor of this fortress, I have the honour of transmitting to you the evidence and charges against the Spanish subject, Manuel Ramos, yesterday arrested in our Line for repeated transgressions of the orders given to our advanced guard. On delivering this individual to you, his Excellency the Governor feels assured that the said transgression, as others of similar nature, will be punished as they deserve, in order to prevent a repetition.

The companion of Ramos is at present, as I am informed, detained prisoner by the Spanish authorities.

I have, &c.
(signed) *H. Lacy,*
Town Major.

Anthony Maulener, Esq.,
Military Commandant of the Spanish Lines.

Sub-Enclosure 3, to Enclosure No. 1.

TRANSLATION from the Spanish.

In the City of San Roque, the 19th of September 1853, I, the notary public, by Royal authority, at the request of Manuel Ramos Ortigosa, resident at Puente Mallorca, of this jurisdiction, who I know, and is at present detained in the prison of this city, having repaired thither, did there, before me and the witnesses hereafter expressed, make the following declaration and protest.

That on the 11th day of August last past, at about noon the deponent was near one of the English guard-houses of the advanced frontier line, on the north front of Gibraltar, taking care of a parcel containing tobacco, which a companion of his, named Domingo Olite, had left there; that the sentinel of the said guard-house ordered him away from the place where he was, and to take with him the above-mentioned parcel, which he, the deponent refused to do, owing to the risk of his falling into the hands of the Spanish advanced guards, that to the same effect intimations were also made to him by the serjeant of the guard, who considering himself offended by the deponent not complying to do so, arrested and placed him at the disposal of the Town Major, who ordered, that by a file of men of the same guard, he should be delivered up on that day to the military commandant of the Spanish Lines, which was accordingly done; that in consequence of those proceedings the deponent has been, since that day, detained and subjected to the legal process instituted against him by the Spanish tribunals, and although he feels confident of being by them acquitted, inasmuch as he has in no way been guilty of any crime, and that if any fault has been done by him, he ought to be punished on the English territory, where the offence, if any, was committed, it so being further to be inferred from the circumstance of the cause having been alternatively referred from the military court to that of the revenue, and by this to the judge of first instance of this jurisdiction; and in order, therefore, to protect himself against all injuries, and be able to obtain due reparation, does by these presents protest, one, and as many times as may be legally required against the said acts of the English authorities, in the form and manner herebefore related, desiring to such effect its being so recorded in the present public act, so that he may thereon obtain its corresponding testimony, and at all times use his right wherever he may deem it convenient. The said Manuel Ramon Ortigosa did so manifest and ratify, being present as witnesses, the alcaide of the prison, Antonio Ransel, Francisco Perez, and Juan Garcia, once residents in this city, the above-named deponent not singning, as he knows not how to write, but at his request it was done by one of the said witnesses, of all which I do attest.

Witness, *Antonio Ransel.*

Before me, *Manuel Bazo de la Hera.*

I, the undersigned present notary, was at the granting of this protest with the party and witnesses, which herein appear, and in faith thereof sign these presents on a sheet of the first stamp, being registered in one of the fourth, and at the margin thereof noted the taking of this first copy, which I grant at the request of the said deponent, in San Roque, the day, month and year before stated.

(signed) *Manuel Bazo de la Hera.*
Six Rs.

1. Memorial from Merchants of Gibraltar.

The undersigned notaries of this city do hereby certify, that Dn. Manuel Bazo de la Hera, by whom the foregoing act of protest is authenticated, is numerary notary of the city of Sn. Roque, and is in the exercise of his functions, and the sign and signature with which the same is authenticated, is that which he uses with his hand and writing, the present being our seal.

(signed) *Cristobal Correjo.*
Manuel Perez Vinet.
Miguel Coleti de la Calle.

Algeciras, 21 September 1853.

I, George K. Glynn, British Vice-Consul at this Port of Algeciras, do hereby certify that the foregoing signatures, Cristobal Correjo, Manuel Perez Vinet, and Miguel Coleti de la Calle, are true and genuine, and that the said persons are notaries public, established in this city.

In testimony whereof I have hereunto set my hand and affixed my consular seal in Algeciras, this 21st day of September in the year of our Lord 1853.

(signed) *George K. Glynn,*
Vice-Consul.

Enclosure No. 2.

To his Grace the Duke of *Newcastle*, Her Majesty's Secretary of State for the Colonies.

May it please your Grace,

Encl. No. 2.

We, the undersigned British merchants and British inhabitants of Gibraltar, beg leave to inform your Grace, that at a public meeting of the merchants, traders and others, inhabitants of Gibraltar, holden in the Public Room of the Exchange on the 13th October, William Carver, Esq., Chairmain of the Exchange Committee, and John Peacock, Esq., were appointed to proceed to England as a deputation to lay before your Grace a memorial respecting the trade of Gibraltar. We humbly assure your Grace that these gentlemen are in the possession of our confidence, that they faithfully represent the feelings of this community, and that they have full authority from us to detail to your Grace all our grievances and wants. We cheerfully admit our liability to be charged with all the necessary expenses of our local Government, but we desire to represent most earnestly to your Grace that an unwise system of secret legislation, carried on through a long series of years, has sapped the prosperity of our trade, which has been much affected by injudicious enactments and arbitrary and unnecessary regulations. That the whole fiscal system of this colony requires a searching revision and thorough reform; that it is crude, unjust, oppressive, and restrictive to trade; and that there is strong and urgent necessity for a prompt and effective reduction of the present public expenditure, an expenditure which was never required by the exigencies of the public service. That the inhabitants of Gibraltar are not consulted in any manner in the framing of projected Ordinances; nor is any question relative to trade submitted to them for their judgment and report. That the consequence thereof has been, and still is, that the merchants and traders have constant reason to complain of illegal and undue interference with the freedom of their trade on the part of the local Government.

Wherefore, we humbly pray that your Grace will give to our delegates a patient and an attentive hearing; that you will be pleased at once to appoint an impartial commission, with ample powers to inquire into, and to revise completely, the existing fiscal laws of Gibraltar; to inquire into the public receipts and expenditure of this colony, with a view to the immediate and permanent reduction of the unnecessary expenses of our local Government, by the amalgamation of offices and reduction of excessive salaries, and to report to your Grace upon the necessity of the appointment of a consultative council to digest and consider all laws and matters connected with the public revenue and the trade of Gibraltar.

(signed) *Andrew Cormack,*
[and 406 others.]

Gibraltar, 24 October 1853.

Enclosure No. 3.

To his Excellency Lieutenant-General Sir *Robert W. Gardiner*, K.C.B. & K.C.H., Governor.

May it please your Excellency, Gibraltar, 7 November 1853.

Encl. No. 3.

We, the undersigned inhabitants of Gibraltar, humbly beg leave to express our dissatisfaction with the recent measures of the Board of Health; and to enter our solemn protest against our land communication with Spain being closed by this Government.

The peculiar position of Gibraltar with respect to Spain, renders the whole system of quarantine a question of expediency. The imposition of quarantines has been of serious consequence to those merchants who trade with England, but they have at all times most cheerfully borne the inconvenience, in order to promote the public good. The people of Gibraltar had therefore great reason on all occasions to be most grateful to former governors and to your Excellency, that they and yourself approved those quarantine regulations which would have the effect of keeping Gibraltar in free pratique with Spain.

On

I.
Memorial from Merchants of Gibraltar.

On or about the 17th of October, we were informed that the Spanish authorities considered it to be necessary for the public health to extend the quarantine upon vessels arriving from England; and we memorialised the Board of Health to adopt measures to keep open our communication with England and with Spain. That memorial, though transmitted to the governors, we believe was never laid before the Board, but we hailed with the greatest satisfaction the resolution of the Board increasing the quarantine to eight days, for the very purpose of keeping Gibraltar in free communication with the neighbouring district. Notwithstanding this just decision of the Board of Health, which had due regard to the interests of this community, eight days afterwards, on the arrival of Her Majesty's ship "Leopard," with troops on board, all quarantines were abolished, and our wants and interests at once sacrificed to the assumed necessity of the Queen's service; yet it is undeniable that the same reasons which guided the Board in their decision on the 23d of October, also remained in existence on the 1st of November; and we are credibly informed that the Governor of Algeciras and his Board of Health approved the landing of the troops from on board the "Leopard," and recommended their performance of quarantine in any place on shore. But your Excellency did not act upon this suggestion; the quarantines were not only abolished, but you also commanded that all communication by land should be closed with Spain.

We respectfully maintain that there was no necessity for the removal of quarantine; that the Queen's troops might have landed and performed their quarantine on shore, and that much suffering and inconvenience might have been averted from the community. Already eight days' quarantine have been imposed in Algeciras upon vessels from Gibraltar; no person from Spain can come into Gibraltar to buy goods or to sell provisions, and then freely return to Spain. The streets are deserted, provisions are comparatively scarce and dear, commerce is paralyzed, and the poor abound and cannot find employment. Nor is this all; Gibraltar gives free pratique to all vessels from England, and merchandize can be brought freely into this port; but in this port such merchandize remains. That large transit trade which was called into life by "the privilege of the flag," is at once checked and injured; and there is too much reason to fear that all vessels proceeding to Spain from Gibraltar will be sent to a lazaretto; consequently no Spanish merchant will order his goods to be sent to Spain by way of Gibraltar.

Your Excellency knows well that this population is mainly supported by the trade with Spain. If that trade be suspended or destroyed, how can the labouring poor obtain their livelihood? Idleness and destitution will be productive of crime and of disease, and the results to this community will be most appalling should the present measures of your government be persisted in and carried out with vigour. Gibraltar has been the scene of many terrible visitations of epidemic sickness. The sorrows of this population were then increased by the gates of Spain being closed against them, so that they were obliged to meet death on every side. They were then afflicted by the awful dispensation of Almighty God. The gates of Spain are now once more shut against us, and we have now to deplore the acts of this government as being the alone cause thereof.

The public health of Gibraltar is good, yet we are closed in from Spain, as in time of pestilence, and prohibited by our Governors from obtaining the nearest and the cheapest food. We deeply regret to believe that the distress which now exists in Gibraltar has been entirely brought about by your Excellency and by the Board of Health. That your Excellency, by closing communication with Spain by land, has undoubtedly estranged a friendly government, and inflicted incalculable mischief upon this population; therefore, we painfully feel that your Excellency has shown by these measures a total disregard for the commercial interests and social welfare of the people committed to your care, and we continue to believe that the exigencies of the Queen's service were not so great or insurmountable as should have caused the Governors to impose unnecessary suffering and inconvenience upon 15,000 of Her Majesty's subjects. We are not ignorant that your Excellency has personally sympathized with the present distress, and that you have given 100 *l.* sterling for the relief of the destitute. But we are confident that these very poor would rather obtain their subsistence by honest labour than from the hands of charity; and that this assistance and any other individual assistance cannot be effectual for the support of the many thousands who will be thrown out of employment by the recent acts of this Government. These unfortunate persons will have little or no means to purchase food; they must either silently suffer privations, or call loudly upon Government for instant relief. And your Excellency cannot fail to see and to acknowledge, that a new phase will thus pass into our social system; namely, that kind of idle pauperism which leads the poor to look for support from other sources than from their own industry

We, therefore, respectfully submit all these considerations to your Excellency's impartial judgment, we earnestly pray your Excellency to direct that provisions may be brought into Gibraltar from Spain by land as heretofore, and that you will be pleased to take immediate measures in order to re-open our free communication with the neighbouring district, and with all the ports of Spain.

(signed) *Andrew Cormack*,
and 38 others.

1.
Memorial from Merchants of Gibraltar.

Enclosure No. 4.

PROCLAMATIONS, Notices, and Garrison Order, issued by his Excellency Sir *Robert Gardiner*, K.C.B., K.C.H., Governor of Gibraltar, as inserted officially in the "Gibraltar Chronicle."

[From the "Gibraltar Chronicle," 27 July 1853.]

NOTICE.

Enclo. No. 4.

To the Wine and Spirit Traders of the City, Garrison and Territory of Gibraltar.

Secretary's Office, 27 July 1853.

THE recent occurrence of one of those scandalous scenes of riot, drunkenness, and attempted murder, which have so long disgraced the Bay of Gibraltar, renders it incumbent on the Governor to direct the attention of the port and revenue authorities to a more rigid enforcement of the existing Orders in Council for the prevention of such licentious infractions of the peace and laws, particularly among a class of alien sea-going vessels, the masters of which resort hither, and abuse the freedom of the port by disposing of their cargoes by retail, to the great detriment of Her Majesty's revenue, and the serious loss of honest traders in wine and spirits.

The Governor calls on all licenced traders in Gibraltar to afford every assistance to the port and revenue officers, by informing against any individual thus transgressing the Orders in Council; not alone with a view to protect their own interests, but to remove the shame and disgrace of such outrages from the Bay altogether.

It appears to the Governor that the Orders in Council, dated the 31st October 1848, and 7th March 1851, afford sufficient power to the Port and Revenue Departments to check effectually this illegal dealing, and prevent the ruinous and fraudulent practices carried on by the masters of foreign vessels within the Bay, and their confederates within the walls.

For this purpose, and to guard against any repetition of the scandalous scenes and unlawful traffic which have led to this notice, the Governor enjoins the strictest attention to those sections of the Orders in Council, which relate to permits for removing wine and spirits, and to the description of the quantity and kind of such wine and spirits, as also of the places to and from which, and the names of the persons to and from whom they are to be removed, with the immediate seizure of all wines and spirits imported or introduced without permits, and the prosecution before a magistrate of all persons engaged in such transactions.

By command,

(signed) *George Adderley*, Colonial Secretary.

[From the "Gibraltar Chronicle," 8 August 1853.]

NOTICE.

Secretary's Office, Gibraltar, 8 August 1853.

THE following communication from his Excellency the Governor to the merchants, traders and inhabitants of Gibraltar, on the appointment, by her Catholic Majesty's Government, of a collector of customs at the Spanish Lines, is inserted for the information of the public.

By command,

(signed) *G. Adderley*, Colonial Secretary.

[Then follows the Notice to the Merchants, Traders and Inhabitants of the Garrison and Territory of Gibraltar, dated Convent, Gibraltar, 8 August 1853, as printed at page 21.]

[From the "Gibraltar Chronicle," 25 August 1853.]

NOTICE.

Secretary's Office, Gibraltar, 25 August 1853.

THE following copy of instructions, address by the Governor to the Captain of the Port, is inserted for the information of the public.

(signed) *G. Adderley*, Colonial Secretary.

Sir, Gibraltar, 23 August 1853.

I ENCLOSE for your information copies of permits framed for the guidance of Her Majesty's collector of revenue in Her Majesty's territory of Gibraltar, with a view of preventing fraud to Her Majesty's revenue and abuse of the freedom of the port, by misinterpretation of the existing Orders in Council for regulating the sale of wine and spirits in Her Majesty's said dominions.

The clearness I have given these forms of permit will, I hope, no less facilitate the uninterrupted removal of wines and spirits, whether for the purposes of bonding them in the Queen's stores or transhipment for transit, than they will effectually defeat and prevent fraud of the revenue by the smuggler.

To these permits I beg your particular attention, with the further view, that, while the revenue is protected and the existing Orders in Council fully carried out, there may not occur, in their strictest interpretation, any deviation from the licit freedom of the port.

Another

I.
Memorial from Merchants of Gibraltar.

Another point calling for your immediate attention, of no less consequence than protection of the revenue, is an enforcement of the regulations of the Orders in Council relative to quarantine, which smugglers, resorting to Gibraltar, unscrupulousy violate on every possible occasion.

I beg you will enforce the most strict compliance with the port and quarantine regulations under Her Majesty's Order in Council on this most important point, and effectually guard against any vessel being admitted to pratique, the master of which is not provided with a manifest, together with a bill of health from the port the vessel last quitted.

Permits for the removal or transhipment of wine in the Bay, may be obtained on application to Her Majesty's collector of revenue under the following circumstances:

1. For removal of wine or spirits from the Queen's stores, or for transhipment of wine or spirits in transit, without payment of duty.
2. For landing wine or spirits to be placed in the Queen's stores, not liable to wharfage.
3. For the removal of wine or spirits to the Queen's stores, wharfage paid.
4. For removal of wine or spirits to house, store or private dwelling, from wharf or Queen's stores, duty and wharfage paid, or from Bayside, without wharfage.
5. For transhipment of wine or spirits for consumption of crew and passengers on board vessels cleared out for sea voyage, duty free.

I am, &c.
(signed) *Robert Gardiner.*

[From the "Gibraltar Chronicle," 7 September 1853.]

NOTICE.

Secretary's Office, Gibraltar, 7 September 1853.

THE following Garrison Order has been inserted by his Excellency the Governor's command.

(signed) *G. Adderley*, Colonial Secretary.

GARRISON ORDER.

Gibraltar, 7 September 1853.

CAPTAIN the Honourable George Douglas having been relieved from this command, the Governor feels called on to offer his acknowledgment of the aid he has at all times in their relative duties derived from the zealous co-operation of that officer, and the officers and crew of Her Majesty's ship "Cruizer," during the period he has been employed on this station.

2. Circumstances of local character, and the continued disorders of the persons engaged in the pernicious, and, as the occurrences on the Isthmus last night, prove, murderous trade of smuggling, have rendered these duties more than ordinarily laborious, particularly during the night.

3. The Governor will not fail at the earliest moment to report to Her Majesty's Government, the sense he entertains of the benefits rendered to Her Majesty's service, by the zeal, vigilance and activity of Captain Douglas, and the officers and men under his command.

(signed) *Robert Gardiner.*

[From the "Gibraltar Chronicle," 4 October 1853.]

NOTICE.

Secretary's Office, Gibraltar, 4 October 1853.

NOTICE is hereby given to the merchants, landowners and others, who are British subjects and inhabitants of Gibraltar, that, on Wednesday the 5th instant, and on the three following days, a memorial to his Grace the Duke of Newcastle, Her Majesty's Secretary of State for the Colonies, respecting the trade of Gibraltar, will be placed in the Public Room of the Exchange for their inspection, and for their signature.

By Command,
(signed) *G. Adderley*, Colonial Secretary.

[From the "Gibraltar Chronicle," 24 October 1853.]

NOTICE.

Secretary's Office, Gibraltar, 24 October 1853.

AT a meeting of the Board of Health, held on the 23d instant, it was decided, that arrivals from Great Britain should perform a quarantine of eight days' observation.

By Command,
(signed) *G. Adderley*, Colonial Secretary.

NOTICE.

Secretary's Office, Gibraltar, 24 October 1853.

THE following letter, addressed to John Francia, Esq., in general reply from the Governor to a memorial against closing the communication of the Fortress and Campo de San Roque, is published, by his Excellency's command, for the information of the public.

 Sir,

I.
Memorial from Merchants of Gibraltar.

Sir, Gibraltar, 23 October 1853.

I BEG, as Governor and President of the Board of Health, to acknowledge to you, for general information, the receipt of a memorial addressed to the members of the Board of Health and myself, by the merchants and traders, and others interested in the commerce of Gibraltar, relative to an unexpected interruption to the communication between the Fortress and the Campo de San Roque, unless a longer duration of quarantine than that now existing should be imposed by the Board of Health on all vessels arriving from England.

My opinions on the fallacy of quarantine restrictions in cases of threatened or actual cholera are well known; and it was my intention to have appealed to the Board of Health to decline, under the present state of general public health in England, acceding to any suggested protraction of quarantine at Gibraltar.

Since my receipt of the memorial, Malaga has placed Gibraltar in quarantine; and, by a letter received late yesterday evening from the Governor of the Campo de San Roque, Algeciras threatens to do so if we do not extend the present period of quarantine to an observation of eight days on all vessels arriving at Gibraltar from England.

I think it a manifestation of respect, due on my part to Spain, as Governor of Gibraltar, to declare openly and fairly, that, at the meeting of the Board of Health, convened by me this morning in consequence of the Governor of the Campo de San Roque's intimation, I acceded, for the last time, to a suggestion which I regard as unreasonable, and useless to any beneficial or necessary purposes of health; and to state unequivocally my future intention to close these gates, rather than ever again yield to an alternative emanating from the provincial Boards of Health of Malaga and Algeciras, which, on political and military grounds, is wholly inadmissible.

My first early protest, on assuming this Government, against a similar compulsory imposition of quarantine, is justified, no less by quarantine itself being a cause of universal vexation and inconvenience, as well as of interruption and injury to the trade of all nations, than by its being, under the imposition of 1849, as, at the present time, an actual direct counteraction of the wise and humane purposes contemplated in the decrees of her Catholic Majesty's Government.

The exposition afforded in the decrees of her Catholic Majesty's Government of the folly and uselessness of quarantine restrictions in cases of cholera, cannot be surpassed, either in the common sense soundness of its views, or the illustrations to be deduced from its reasoning. The absurdity and cruelty of prohibiting intercourse or communication, in threatened or real cases of cholera, are unanswerably set forth in the royal decree, dated Madrid, 24 August 1834.

Since that period, practical illustrations of the benevolent purpose of that decree have been afforded, in a Government Circular issued at Madrid, 23d January 1849:

"Ministerio de la Gobernacion del Reino.

"Su Majestad ha tenido á bien Mandar:

"1° Que, aunque aparezca el Cólera en Francia ó Portugal, no se establezcan Cordones, Lazaretos, ó Cuarentenas de ninguna clase, en los Pueblos de las respectivas Fronteras terrestres.

"2° Que, si la referida enfermedad se declarase en cualquier punto de la Península, cuide el Gefe Político, muy particularmente, de proteger, y hacer que se proteja, la libre circulacion de todos los Pueblos entre sí, y de evitar que por dicho motivo se cause la menor vejacion á los viageros.

"3° Y que de ningun modo permita dicha Autoridad el aislamiento en las Coléricas Casas ó Establecimientos Públicos de las Poblaciones."

Here we have, not only full authority for continuation of free intercourse, under circumstances even of actual cholera, but all restriction of intercourse is absolutely interdicted, Gibraltar, as a "Frontera terrestre," being, it is to be presumed, included among all others. Thus, the wise and merciful decrees of her Catholic Majesty's government provide for all possible human mitigation of this dreadful malady, while the acts of certain of Her Majesty's provincial authorities oppose its intended relief, and aggravate its horrors.

If this dreadful scourge should again threaten, in visionary fear, the Peninsula, during the period of my command of this fortress, her Catholic Majesty's Government will not, I trust, think it incompatible with that watchfulness for the health of Spain which I exercise for that of the troops and civil community of this garrison, if I close the land communication and throw open the port to vessels arriving from all nations of the world with bills of health. Such is my intention; and under such a crisis, I should not hesitate appealing to her Catholic Majesty's Supreme Government to support and co-operate with me in carrying out their own sanitary laws, and to all Spain as to a religious nation—who, under circumstances beyond human control, and having done all that human legislation can provide for, awaits the result in confidence, ever dependent on, and looking to the decrees of a merciful and omnipotent Providence.

I am, &c.
(signed) *Robert Gardiner.*

By Command,
(signed) *G. Adderley,* Colonial Secretary.

I.
Memorial from Merchants of Gibraltar.

[From the "Gibraltar Chronicle," 28 October 1853.]

NOTICE.

Secretary's Office, Gibraltar, 28 October, 1853.

AN unauthorized placard having appeared in the streets for the purpose of convening a public meeting without the knowledge or sanction of the Governor, his Excellency has directed the police magistrate to cause the same to be removed, and to prevent any future placarding of like nature for any purpose whatever.

The Governor knows and feels, that the inhabitants of Gibraltar fully believe, that it is his earnest desire to promote their welfare and interests, and that he is at all times ready to receive and redress, or forward any grievance made known to him, to Her Majesty's Government; and he cautions them to avoid the instigations of a few exceptional trading adventurers, who only use them for their own purposes and illicit ends, who dare to disgrace the name and flag of England by making it subservient to the disgrace and base purposes of smuggling; and who, with their confederates in the Bay, seek to make the free port of Gibraltar a port of refuge for brigands.

By command,
(signed) *G. Adderley*, Colonial Secretary.

[From the "Gibraltar Chronicle," 1 November 1853.]

NOTICE.

Secretary's Office, Gibraltar, 1 November 1853.

THE Governor, desiring to clear up some doubts which he is informed have been raised with respect to the Government Notice of the 28th ultimo, now makes known, that each of the paragraphs of that notice had a distinct application; the first had specific reference to the placarding therein denounced; the second was an admonition addressed to the inhabitants of Gibraltar generally.

By command,
(signed) *G. Adderley*, Colonial Secretary.

PROCLAMATION.

By his Excellency Sir *Robert William Gardiner*, Knight Commander of the Most honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Second Class of the Military Order of St. Anne of Russia, Lieutenant-General of Her Majesty's Forces, Governor, Vice-Admiral and Commander-in-Chief of the City and Garrison of Gibraltar, &c. &c. &c.

WHEREAS in and by a certain Order, bearing date at the Court of St. James's on the 13th July 1830, and made by his late Majesty, by and with the advice of his Privy Council, to regulate and provide for the performance of quarantine at the garrison and territory of Gibraltar, it is, among other things, ordered, that the order or orders from time to time made by the Board of Health of Gibraltar, in pursuance of the said Order of his late Majesty for carrying into effect the regulations and provisions thereof, shall be duly published at Gibraltar by proclamation.

And whereas the said Board of Health has made the order hereinafter following, the same is hereby published and proclaimed, in pursuance of the said Order of his late Majesty, in manner following; viz.

The Board of Health decided, that the present quarantine imposed on arrivals from Great Britain should be taken off on the evening of the 2d instant at gun-fire, owing to the arrival of troops from England in Her Majesty's ship "Leopard" with clean bill of health, for whom there is no accommodation in the Bay, more particularly as there can be no cause for alarm as regards the public health.

Given at Gibraltar, this 1st day of November 1853.

(signed) *Robert Gardiner*, Governor.

By command,
(signed) *G. Adderley*, Colonial Secretary.

[From the "Gibraltar Chronicle," 2 November 1853.]

NOTICE.

Secretary's Office, Gibraltar, 2 November 1853.

NOTICE is hereby given, that all intercommunication by land will cease this evening at gun-fire between the neighbouring district and this fortress.

By command,
G. Adderley, Colonial Secretary.

1.
Memorial from Merchants of Gibraltar.

PROCLAMATION.

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And whereas the said Board of Health has made the orders hereinafter following, the same are hereby published and proclaimed, in pursuance of the said Order of his late Majesty, in manner following; viz.

All vessels arriving from Great Britain and the Northern ports with clean bills of health and health on board, be admitted to free pratique; that all vessels with touched bills of health, but which have had no sickness on board during the passage, be subjected to a quarantine of observation of seven days; that all vessels arriving with any cases of epidemic or contagious disease on board be subjected to a strict quarantine, with a guard-boat astern, until the inspector of health reports to the Board of Health, which will decide on the duration of the quarantine or destination.

The Board of Health has satisfactory intelligence that there has been a public thanksgiving for the cessation of cholera in the North of England.

Given at Gibraltar, this 2d day of November 1853.

(signed) *Robert Gardiner*, Governor.

By command,
(signed) *G. Adderley*, Colonial Secretary.

[From the "Gibraltar Chronicle," 12 November 1853.]

NOTICE.

Secretary's Office, Gibraltar, 9 November 1853.

THE following reply from his Excellency the Governor to an address from 39 inhabitants residing in the fortress of Gibraltar, is published for their information.

I have this day received your address, expressing your "dissatisfaction" at the recent measures of the Board of Health, together with a "solemn protest" against "our land communication with Spain being closed by the present Government."

Your "dissatisfaction" I regret, sincerely so, but I concur entirely, and took part in the measures of the Board of Health, in putting an end to a severance of England and Gibraltar from the imposition of a useless and uncalled for quarantine.

The framer of this address states, that the "peculiar situation" of Gibraltar rendered the whole system of quarantine a question of expediency; that is, the smuggling trade of Gibraltar must be maintained at the sacrifice of the national independence of England; neither more nor less; in either view as regards any purposes of health, quarantine at Gibraltar becomes a farce.

At the time the Board of Health relieved England from this vexatious restriction, it must be in your recollection, that England was in free pratique with all nations of Europe, except Spain alone.

Differing wholly with your views of the objects of quarantine, I consider that the Board of Health acted wisely and judiciously in being guided in their decision by the state of the public health in England. They decided that vessels arriving from England with clean bills of health, and health on board, should be admitted to free pratique.

Here ended all the warranted responsible duties of the members of the Board of Health.

The motives of my keeping open the port and closing the fortress on the land frontier, embraces questions of military duty and international concern between Spain and England only, and for which I alone am responsible; and on the urgency or necessity of which measures, if I had entertained a shadow of doubt, I should have solicited instructions from Her Majesty's Government.

What I have done, I reserve to myself, but I am aware and well assured that I have acted for the mutual and relative welfare and honour of Spain and England.

You tell me I am destroying your trade.

If restrictions on smuggling is destroying your trade, you complain with some cause, for I take every available occasion to suppress it, and I shall continue to do so.

If you can only uphold a pretence of trade at Gibraltar, by making it a mart for contraband goods to be smuggled into Spain, the fortress had better be divested of trade altogether. This magnificent fortress is not kept up at the expense of millions, for such purposes; but as a fortress, it had better become an honest fishing port than a smuggling mart—a perpetual thorn in the side of Spain—and a cause of international recriminative feud between the two nations,

I.
Memorial from Merchants of Gibraltar.

nations, preventing all sound intercourse or relations either of political or commercial alliance.

I will not put in question your common sense by here pointing out the simple, easy, straightforward course by which you could yourselves correct the evils some of you for partial purposes of gain seek to perpetuate.

As regards the objects and tone of your address,

The frequency of your attempted interference in the military government of the fortress, making it, if you could, quite secondary to the unshackled pursuit of smuggling, in affairs which you can in no way understand, and in which you never can have any responsible concern whatever, and most frequently on grounds without any foundation whatever, shows to what a fearful depth the smuggling trade of Gibraltar has sapped the military caste of this fortress, no less than engendered the vice and crime so justly associated with smuggling in the eyes of all nations; it cannot be otherwise, and the decline of the Gibraltar trade is but a consequence of its own innate deep-rooted moral turpitude. I pointed this out to you five years ago, and forewarned you, that by feeding the smuggling of Spain, you would hasten your commercial decline, cause vast injury to the revenue of Spain, while you simultaneously maintained her fatal high tariff, make more difficult the eradication of monopolies, and render any advance of free licit trade hopeless.

Here are the words I then addressed to you,

(21 June 1849.)

"The way, in public as in private life, to attain and maintain just views and ends, securely and advantageously, whether on affairs of policy or business, is to make ourselves independent.

"The nature of our future trade will not become prejudicially altered as a consequence of this independence.

"If we maintain an open port, it will after a very short period become purely licit, or illicit, advantageous or otherwise, as we ourselves determine to act. It may suffer under the adoption of a new policy for a moment; but we know where our manufactures are wanted, and there they will find their way by fair or by forbidden means. The inconvenience, as I hope, will be but momentary. The advantages and benefits of an open port will, as I anticipate, be durable, extensive, wide-reaching among all classes, and honourable.

"Such are my firm convictions; and, in my government of Gibraltar, I would desire all my views to be based on corresponding open high principles of public dealing, and which, if supported by you, I would immediately submit in this case (it was a case of quarantine) to Her Majesty's Government at home, and, I trust, obtain such a measure of concurrence and support as would not only restore the declining trade of Gibraltar, but advance and secure, with individual welfare, the national name and permanent interests of the place."

When things come to the worst, they must mend or end.

They have come to the worst at Gibraltar. The character and nature of your trade must undergo a thorough cleansing and revert to pure sources, or licit trade here will be for ever unattainable. The course before you is simple, easy, honourable, and may be profitable. That which you pursue may be gain to the few; but to the thousands it is moral death and physical suffering.

There are some names I have formerly seen enrolled among the many memorials addressed to me ostensibly in the name of licit trade, but virtually being for other purposes.

I know not their motives in this holding back, but I most truly respect them; and it is a pleasure to me to acknowledge publicly their forbearance, and appeal to their confidence under the fulfilment of a responsible and important duty. Such persons are capable of redeeming the intolerable shame of smuggling, and the combined folly and venal abuses of quarantine.

To such persons I look for the regeneration of our trade; with such persons I will labour diligently and indefatigably for the attainment of a licit commerce and retail trade, free as air, and alike honourable and profitable. But smuggling and quarantine, the combined double curses of Gibraltar, as they are also of Spain, must be essentially and radically rooted out from our social and mercantile system. Leave Spain to her own time to reform her impoverishing tariff. Her Catholic Majesty's Government have already shown instances in which they approve, and concur in the enlightened commercial policy adopted by other nations, and, doubtless, when they think proper, they will advance with other nations, but leave the reform of their tariff to themselves.

In the meantime afford a practicable illustration to Spain, that licit free trade is not incompatible with national wealth, but the surest means for its attainment. Let me induce you to seek purchasers in the principal coast towns of Spain, the traders of which will, in their turn, resort hither to make their purchases, and you will thus, at length, rescue the trade of Gibraltar out of the hands of those parties who now monopolize smuggling, to the destruction of our local interests, and the prevention of commercial relations between England and Spain.

I shall take the earliest opportunity of forwarding a copy of your address to me to Her Majesty's Government.

I am, &c.
(signed) *Robert Gardiner.*

By command,
(signed) *G. Adderley,* Colonial Secretary.

I.
Memorial from Merchants of Gibraltar.

Encl. No. 5.

Enclosure No. 5.

CORRESPONDENCE with the EXCHANGE COMMITTEE.

[No. 1.]

Sir, Exchange Rooms, Gibraltar, 26 July 1853.

I HAVE the honour to inform your Excellency that it has been reported to the Exchange Committee, acting as the Chamber of Commerce of Gibraltar, that new orders restricting the transhipment of wines and the sale of wines in the Bay, have lately been issued. The Exchange Committee have therefore directed me respectfully to inquire from your Excellency whether any such orders have been given, and if so, to request that you may be pleased to communicate the same to them for the information of the commerce of the place.

I have, &c.
(signed) *William Carver*,
Chairman Exchange Committee.

His Excellency Lieutenant-General
Sir R. W. Gardiner, K. C. B. and K. C. H., Governor.

[No. 2.]

[From the "Gibraltar Chronicle," of 27 July 1853.]

NOTICE.

To the Wine and Spirit Traders of the City, Garrison, and Territory of Gibraltar.

Secretary's Office, 27 July 1853.

THE recent occurrence of one of those scandalous scenes of riot, drunkenness, and attempted murder, which have so long disgraced the Bay of Gibraltar, renders it incumbent on the Governor to direct the attention of the port and revenue authorities to a more rigid enforcement of the existing Orders in Council for the prevention of such licentious infractions of the peace and laws, particularly among a class of alien sea-going vessels, the masters of which resort hither, and abuse the freedom of the port by disposing of their cargoes by retail, to the great detriment of Her Majesty's revenue, and the serious loss of honest traders in wine and spirits.

The Governor calls on all licensed traders in Gibraltar to afford every assistance to the port and revenue officers, by informing against any individual thus transgressing the Orders in Council, not only with a view to protect their own interests, but to remove the shame and disgrace of such outrages from the Bay of Gibraltar.

It appears to the Governor that the Orders in Council dated 31st October 1848 and 7th March 1851, afford sufficient power to the Port and Revenue Departments to check effectually this illegal dealing, and prevent the ruinous and fraudulent practices carried on by the masters of foreign vessels within the bay, and their confederates within the walls.

For this purpose, and to guard against any repetition of the scandalous scenes and unlawful traffic which have led to this notice, the Governor enjoins the strictest attention to those sections of the Orders in Council which relate to permits for removing wine and spirits, and to the description of the quantity and quality of such wines and spirits, as also the places to and from which, and the names of the persons to and from whom they are to be removed, with immediate seizure of all wines and spirits imported or introduced without permits, and the prosecution before a magistrate of all persons engaged in such transactions.

By command,
(signed) *G. Adderley*, Colonial Secretary.

[No. 3.]

Sir, Exchange Rooms, Gibraltar, 2 August 1853.

I HAD the honour of addressing your Excellency on the 26th ultimo. I have not yet received any reply to my letter. Your Excellency, however, on the 27th ultimo, was pleased to publish in the official Gazette a notice to the wine and spirit traders of the city, garrison, and territory of Gibraltar.

I am directed by the Exchange Committee, to represent to your Excellency that the said notice has not given precise or definite information to the parties concerned in the wine trade, and that great uncertainty still exists with reference to the transhipment of wines in the Bay of Gibraltar.

The Exchange Committee have received a letter from a British subject, stating that he has been prohibited by the acting collector of revenues transhipping from one vessel a quantity of wine on board of another vessel for exportation, except upon payment of the full amount of import duty, five dollars per pipe, for the necessary permit; and that he received official notice, that if he removed the said wines without such permit, they will become liable to seizure and to confiscation.

It appears to the Exchange Committee, upon inquiry, that no wines can be removed in the Bay without a permit from the collector's office, and that such permit is only given upon

upon the payment of the import duty of five dollars per pipe. Indeed, they are informed that masters of sea-going vessels have been obliged to pay the import duty upon wines which they have purchased for the necessities of their voyage.

I.
Memorial from Merchants of Gibraltar.

The Exchange Committee humbly represent to your Excellency, that great injury and inconvenience to trade are caused by these impolitic restrictions upon its freedom in this free port of Gibraltar. They submit, that duties upon the removal of wines in the Bay, and upon wines for consumption on board sea-going ships, are illegal, unjust, and altogether opposed to the letter and to the spirit of all the Orders in Council, by which the revenues of this place are collected; and they humbly move your Excellency to direct the acting collector of revenues, and the acting captain of the port, to allow the free transhipment of wines as heretofore.

The Exchange Committee direct me to express their grief and their surprise, that your Excellency should have informed the public officially, that scandalous scenes of riot, drunkenness and attempted murder, have long disgraced the Bay of Gibraltar. The inhabitants of Gibraltar were not prepared to hear of such a fearful state of crime, as, during a series of years, no bills of indictment for those offences have been submitted to the grand jurors of the Queen. It has always been the pride and the boast of this community, British, native, and alien, that the records of their criminal court have shown them to be strikingly free from those serious crimes which unhappily are so prevalent in other places; and they have cherished, and still cherish the belief, that in no part of Her Majesty's dominions are the laws more venerated, and life, property, and social order more respected than in this city of Gibraltar.

I have, &c.
(signed) *William Carver*,
Chairman, Exchange Committee.

His Excellency Lieutenant-General
Sir R. W. Gardiner, K. C. B. and K. C. H., Governor.

[No. 4.]

Secretary's Office, Gibraltar, 2 August 1853.

The Colonial Secretary is directed by the Governor to acknowledge the receipt of Mr. Carver's letter of this day's date.

The Governor, as Mr. Carver knows, is always ready to receive the complaint of any individual of Gibraltar, and if the unknown complainant adverted to in Mr. Carver's letter, addresses himself to the Governor, his case will receive immediate attention.

(signed) *G. Adderley*,
Colonial Secretary.

Mr. Carver, Gibraltar.

[No. 5.]

Sir, Exchange Rooms, Gibraltar, 2 August 1853.

I have rereived the letter of this day's date, which your Excellency has commanded Mr. Adderley to write to me. I have laid the same before the Exchange Committee, and they have directed me to wait upon your Excellency with the copy of a letter addressed to me by Mr. Joseph Andrew Starico.

The Exchange Committee have requested Mr. Starico to make direct application to your Excellency with reference to his case.

I have, &c
(signed) *William Carver*,
Chairman, Exchange Committee.

His Excellency Lieutenant-General.
Sir R. Gardiner, K. C. B. and K. C. H., Governor.

Senor Presidente,

El enfrascrito subdito de S. M. Britanica y vecino de esta ciudad espone, que atendido al aviso inserto en la cronica 27 del corriente por el Senor Secritario de Colonias, relativo a las occurencias de esta Bahia, Aplicó personalmente el dia 29 del mismo en la oficina de la Colecturia de Rentas para que le diesen informes sobre la manera de poder efectuar el trasborde de unas 40 pipas de vino que se hallan depositadas en uno de los Almacenes flotantes de esta bahia, con el objeto de dirigirlas a Genova, para su venta, visto la imposibilidad de poderle dar salida en esta Ciudad—fue luego, admitido en precencia del Caballero Bell, ahora actuando colector de las Rentas de S. M. y despues de haberle impuesto de su demanda, contesto dicho Señor que el trasborde no podia verificarse sin previo permiso de aquella oficina pagando el derecho de cinco pesos fuertes por cada pipa, Pregunto asimismo el esponente, si aplicando al Senor Capitan del Puerto podria obtener el permiso sin pagar, se le contestó que de ningun modo podia darlo, por tener orden de interceptar y confiscar toda clase de bevida sin tener el permiso competente, preguntó igualmente si debia hacer una suplica à S. E. el Senor Governador para obtener dicho permiso, se le contestó que podia hacerlo si queria. En este estado de cosas y con grave

I. Memorial from Merchants of Gibraltar.

perjuicio de los intereses en general suplica a vd. par que en Junto de Comercio, esponga esta mi manifestacion para el uso conveniente.

Y con el debido respeto qdo. S. S.
Q. B. S. M.,

Sor. Don G. Carver, (signed) *José Andres Starico.*
Presidente de la Junta de Comercio.

[No. 6.]

Exchange Rooms, Gibraltar,
2 August 1853.

May it please your Excellency,

We, the undersigned, chairman, deputy chairman, and members of the Exchange Committee, acting as the Chamber of Commerce of Gibraltar, beg leave to inform your Excellency that we have this day made, through Mr. Carver, our Chairman, a representation to your Excellency, that great uncertainty still exists with reference to transhipment of wines in the Bay of Gibraltar.

We stated that duties are illegally enforced at the collector's office for permits to remove wines for transhipment in the Bay, but sea-going vessels are also charged with the full amount of import duty upon the wines they require for the necessary supplies for their voyage, and we prayed your Excellency to direct the acting collector of revenues, and the acting captain of the port, to allow the free transhipment of wines as heretofore.

Your Excellency has not given us any information upon this subject. But we must again most respectfully urge it upon your consideration. It is a most important commercial question, and one which most vitally affects the freedom of this port.

It concerns our business as British merchants, because not one of us can receive a consignment of wine for transhipment to other places, without such wine becoming liable to payment of import duty, or to seizure and confiscation.

We, therefore, humbly pray, that your Excellency will be pleased to inform us whether the import duties now charged upon wines for exportation, are levied by the authority of your Excellency, and that you will direct the said order to be published in the official Gazette, for our information, and for the information of all concerned in the wine trade.

We have, &c.

(signed) *William Carver,* Chairman.
Andrew Cormack, Deputy Chairman and Treasurer.
John Mackintosh, Secretary.
J. de M. Pariente.
Richard Glover.
James Price.
William Carver, jun.
H. A. Hurst.
Joseph Shakery,
James Smith.

His Excellency Lieutenant-General
Sir Robert Gardiner, K. C. B. and K. C. H., Governor.

[No. 7.]

Sir, Secretary's Office, Gibraltar, 3 August 1853.

I am directed by the Governor to acknowledge the receipt of a letter from you of yesterday's date, bearing, with your own, the signatures of Andrew Cormack, John Mackintosh, Jacob Pariente, R. Glover, James Price, W. Carver, H. Hurst, Joseph Shakery and James Smith.

In reply to this letter, the Governor instructs me to direct your attention to the scandalous scenes recently and at present passing at Gibraltar among the wine and spirit traders; together with a reference to the Orders in Council, proclaimed by command of Her Majesty's Government for the regulation of the sale of wine and spirits in the garrison and territory of Gibraltar.

It is not usual for irresponsible persons to demand a public proclamation of uncontemplated prospective measures of Government. But the Governor directs me to state, in reply to that part of your letter expressing "great uncertainty" to exist in your minds, relative to the transhipment of wines in the Bay of Gibraltar, that should any measure occur to him as necessary for the amendment of the present existing laws, he will make it known to the inhabitants of Gibraltar, under the form prescribed by Her Majesty's Government.

I am, Sir, &c.
(signed) *G. Adderley,*
Colonial Secretary.

Mr. Carver and others.

I.
Memorial from Merchants of Gibraltar.

[No. 8.]

Exchange Rooms, Gibraltar,
3 August 1853.

May it please your Excellency,

We, the undersigned, chairman, deputy-chairman and members of the Exchange Committee, acting as the Chamber of Commerce of Gibraltar, have the honour to acknowledge the receipt of Mr. Adderley's letter of this date, addressed to us by your Excellency's command.

Your Excellency having directed our attention to the "scenes recently and at present passing in Gibraltar among the wine and spirit traders," we are bound to assure you, that we are perfectly ignorant of those persons having committed disturbances of the public peace; and that until we read your Excellency's official notice, published on the 27th ultimo, we did not know that "scandalous scenes of riot, drunkenness and attempted murder, had long disgraced the Bay of Gibraltar." Some amongst us have served upon every grand jury during a series of years. These assert that no bills of indictment for such offences in the Bay have been presented to them, and that the records of the Criminal Court of Gibraltar evidence a remarkable freedom from crime in this mixed population.

We cannot find anything in the Orders in Council to authorize the levying of any duties upon wines and spirits exported from this place or transhipped in this Bay; and we are confident that the laws and regulations now in force are quite sufficient to check any existing evils without new legislative enactments.

We respectfully submit to your Excellency, that we have not demanded "any public proclamation of uncontemplated prospective measures of Government." We are, indeed, "irresponsible persons" for functions of Government, but we have a responsible interest with your Excellency in the commonwealth. We have large amounts of property in this city; we are deeply concerned in the freedom of its trade, and in the general prosperity of its people. We contribute towards the expenses of our local government, and we often render service to the public for the general good. We maintain, therefore, that it is our duty, as good citizens, to make known to the Queen's representative, all abuses of official authority. The question of duties upon articles of merchandize is clearly a commercial question, which concerns every man engaged in trade; and it is a legitimate subject of reference by commercial men to his Excellency the Governor. We, therefore, have a right to expect from the Governor, a courteous and an impartial hearing, and full and open information when we are in doubt, or in ignorance of the public law.

We have conceived it to be our duty to ourselves, and to the public, to inform your Excellency that, contrary to the Orders in Council in that behalf, the full amount of import duties has been exacted by the acting collector of Her Majesty's revenues upon wines for exportation; and also that the import duties have been demanded for permits to effect the transhipment of wines in the Bay. We believe that the exaction of these duties has been a violation of the law; that it is opposed to the spirit and to the letter of all local Orders in Council, and to the fiscal laws and regulations of every commercial country.

There has been no proclamation of alterations in the regulations with respect to the exportation and transhipment of wines; there has been no public notice of the imposition of duties upon wines and spirits for exportation. Yet duties have been exacted upon wines for exportation; and traders have been refused permits to tranship their wines in the Bay, unless they paid the import duties upon the same. Such being the case, we sought, and we seek, your Excellency's counsel. And we humbly pray your Excellency, as our Governor, to institute a strict inquiry into the authority upon which the acting collector of revenues has levied import duties upon wines for exportation; and to inform us whether such duties will continue to be enforced by the revenue officers of the Crown.

We have, &c.

(signed) *William Carver*, Chairman.
Andrew Cormack, Deputy Chairman and Treasurer.
John Mackintosh, Secretary.
Jacob de M. Pariente,
Richard Glover,
James Smith,
Joseph Shakery,
James Price,
H. A. Hurst,
William Carver, jun.

His Excellency Lieutenant-General
Sir R. W. Gardiner, K.C.B. & K.C.H., Governor.

[No. 9.]

Secretary's Office, Gibraltar, 8 August 1853.

Sir,

I AM directed by the Governor to acknowledge the receipt of a letter from you of the 3d instant, bearing, with your own, the signatures of Andrew Cormack, John Mackintosh, J. de Pariente, R. Glover, James Smith, Joseph Shakery, James Price, H. Hurst, and William Carver, junior.

The Governor is at a loss to reply in plainer terms to the question repeated in your numerous letters than he has already done in my letters addressed to you on the 2d and 3d instant.

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instant. His Excellency can only repeat that he has no intention of proposing to Her Majesty's Government to make any change whatever in the existing laws regulating the sales of wines and spirits at Gibraltar. Neither is it his intention to enter into any discussion, with the object of changing them. Her Majesty's Government have, on two separate occasions, declared the objections urged against them to be inadmissible, and their approval of them definitive.

I am directed, for the third time, to repeat, that if you, or any of the parties who with you have signed the present letter, will forward to the Governor any individual case of complaint against the port and revenue officers, it will receive his immediate attention.

I am, &c.

(signed) *G. Adderley,*
Colonial Secretary.

To Mr. Carver and others.

[No. 10.]

Exchange Rooms, Gibraltar,
12 August 1853.

May it please your Excellency,

We, the undersigned, chairman, deputy-chairman, and members of the Exchange Committee, have the honour of acknowledging the receipt of Mr. Adderley's letter of the 8th instant, written to us by command of your Excellency; and we avail ourselves of this opportunity of stating that Messrs. Drinkwater, Glassford, and Peacock, are now in England, and consequently unable to join in our present correspondence.

We are most unwilling to occupy your time unnecessarily, but we are constrained to say that the letters of the Colonial Secretary, dated the 2d, 3d, and 8th instant, have not met nor satisfied the representations which we felt it to be our duty to make to the Governor. We repeat, we have never demanded any publication or declaration of contemplated legislative enactments, but we have several times complained of the violations of the existing revenue laws by the revenue officers. Your Excellency has shown your knowledge of such violations of the law by your commands that the officers of the revenue should abstain from illegally demanding the import duties for permits to tranship wines. Yet your Excellency calls upon us to give you "an individual case of complaint against the port and revenue officers." We have no complaint whatever to make against the officers of the port. Subject of grave censure against those officers has been, however, raised in the public mind by the Governor's official notice of the 27th July. They stand charged with culpable neglect of duty in unchecking, for so a long a period, scenes of riot and drunkenness in the Bay. They must be greatly blamed for not having used the stringent powers given to them by Orders in Council for the punishment and suppression of such offences.

But, in obedience to your commands, we now bring against the revenue officers a case of individual complaint, which involves the interests of the public.

We charge them with having, on the 1st of this month, illegally exacted from one G. Bado, the sum of five dollars, for duty upon one pipe of wine removed from the "San Juan" to his vessel "La Gloria," when on the point of sailing for Mogador. It is clear that the master purchased the wine for the necessities of his voyage; and that a great wrong was committed upon him, and upon the public, by the illegal exaction of duty which is not authorised by any clause in the Orders in Council.

It may not be known to your Excellency (and it has caused much public scandal) that duties are received, and permits given, for small quantities of wine, less than six gallons, to be removed from the wharf. Alien masters of wine vessels have been fined in full penalties for having sold in the Bay these small quantities of wine. Ignorant of our language and our laws, they have been induced to sell because they thought they had authority to do so by virtue of the permits granted to the buyer by the collector of revenues. Thus the revenue has received the duty upon the wine, and the seller has been fined for having sold the quantity upon which duty had been paid. It is not now our intention to discuss with your Excellency what are the limits of the revenue laws of Gibraltar, nor yet to question the decisions of the magistrates. The parties aggrieved have their remedy in a court of law, and we presume the subject will soon occupy the attention of the local and superior courts of judicature. But it is so evident that ignorant and unwary persons may render themselves liable to penalties for selling small quantities of wine under the supposed authority of revenue permits, that, pending the authoritative decision of Her Majesty's Judges upon the limits of the revenue laws, we are induced to direct your Excellency's attention to the subject, in the hope that you may provide a remedy for the evil.

We, therefore, humbly pray that your Excellency will be pleased to inform us under what authority the sum of five dollars, as duty upon a pipe of wine for exportation, was exacted from Giacomo Bado, on the 1st August, and also whether duties upon wines for exportation will continue to be enforced at the collector's office.

We cannot close this correspondence without protesting in the strongest manner against the inference, which cannot but be drawn from your Excellency's assertion, that as Her Majesty's Government has declared on two separate occasions the objections made against the revenue laws of Gibraltar to be "inadmissable," and their approval "definitive," that we are debarred appeal to Her Majesty's Secretary of State. Our right of appeal to the Secretary of State, when we are unable to obtain justice or satisfaction from the Governor, is unalienable; and we have reason to believe, if we can show Her Majesty's Government any oppression or practical grievance in the operation of the present revenue laws, that they will

will be promptly and effectually redressed. We are confident that his Grace will approve of no new readings or interpretations of the existing laws, which were not intended or contemplated when those laws received the sanction of the Queen.

We have, &c.

(signed) *William Carver*, Chairman.
A. Cormack, Deputy Chairman and Treasurer.
J. Mackintosh, Secretary.
J. de M. Pariente.
R. Glover.
James Price.
J. Smith.
Joseph Shakery.
H. A. Hurst.
W. Carver, jun.

His Excellency Lieutenant-General
Sir R. W. Gardiner, K.C.B. and K.C.H., Governor.

[No. 11.]

Sir, Secretary's Office, Gibraltar, 15 August 1853.

The Governor received a letter from you on Saturday the 13th instant, bearing, with your own signature, that of Andrew Cormack, James Mackintosh, Joseph de M. Pariente, R. Glover, James Price, James Smith, Joseph Shakery, H. Hurst, and Willian Carver, junior.

You have misapprehended the purport of my letter of the 8th instant.

The Governor's wish was to ascertain any individual complaint among the persons signing the letter he had received. He could not have intended to apply to you respecting the complaints of other persons. He does not see the name of Giacomo Bado among the signatures of the letter last received. But at any rate, acting on the principle invariably pursued by him of investigating every complaint individually, he cannot decide on that of Bado on the representation of other parties.

In answer to the other subjects of your letter, the Governor refers you to the existing Orders in Council relative to the regulations for the sale of wine and spirits at Gibraltar. And in the event of your desire to impute error to the Government in the enactment of those orders, his Excellency suggests to you an appeal to the local courts of law, or to Her Majesty's Secretary of State for the Colonies. He will afford every facility to either course.

The Governor would have here closed his remarks on your letter, had it not been necessary to notice the perversion you have attempted to attach to his meaning in a former letter.

The Governor had declined discussing the Orders in Council passed under the Government of his predecessors, regulating the sale of wine and spirits at Gibraltar, as certain persons had formerly memorialized Her Majesty's Government against those orders; and as Her Majesty's Government had, on two distinct occasions during the government of his predecessor, declared the objections urged by the memorializing parties to be "inadmissible," and the approval of the regulations by Her Majesty's Government to be "definitive."

The inference you attempt to attach to the Governor's motives on this occasion, is, that he would, by a wrong interpretation of the words, debar to you the power of appeal to Her Majesty's Secretary of State on any other subject.

His Excellency does not consider it necessary to notice an imputation which, in itself, is opposed to truth and reason, further than to place it in opposition to the known instructions of Her Majesty's Government on the subject of appeals of complaints, instructions which no Governor could either desire or presume to disobey.

I am, &c.

(signed) *G. Adderley*,
Colonial Secretary.

To Mr. Carver and others.

[No. 12.]

Exchange Rooms, Gibraltar,
18 August 1853.

May it please your Excellency,

We the undersigned, chairman, deputy chairman and members of the Exchange Committee, acting as the Chamber of Commerce of Gibraltar, have received the letter dated the 15th instant, which Mr. Adderley has written to us.

We should not have deemed it to be our duty to make any reply to Mr. Adderley's letter, but that it appears to us that a most important principle is involved in the refusal of the Governor to inquire into what we conceive to be a public wrong, on the ground that the party aggrieved has not himself made the complaint. We maintain that every good citizen has a direct and personal interest in the preservation of public morals, and of public order, and that it is his duty to make known to the executive all violations of the same. The public magistrate might assign the reason that the Governor has assigned to us, for his refusal to investigate into crime. He might decline to take cognizance of offences brought

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before him by others than the parties personally aggrieved, consequently justice would be paralyzed, the guilty escape punishment, and order and good government might be greatly prejudiced. It cannot be denied that a wrong committed upon an individual, is also an offence against the body politic; and it is undoubtedly the duty of the Government to take care that public wrongs are redressed as promptly as private injuries.

But we are quite aware that our business is not with abstract principles, but with practical grievances which press upon the commercial interests of Gibraltar. We cannot conceive a more legitimate subject of complaint to the Governor by the merchants of Gibraltar, than that the revenue laws have been illegally applied to the exaction of duties not authorized by any Order in Council. The individual Giacomo Bado has gone upon his voyage to Mogador, and being an alien, he would probably be unwilling to appeal against the local government in Her Majesty's courts of law. Yet he has been illegally charged with import duty upon the wine transhipped on board his vessel, and his payment of that duty may be made a precedent for levying the same illegal duties upon the public. The question is one, not alone affecting the individual interests of Giacomo Bado, but the public revenue, the ancient freedom of this port, and the commercial and general interests of the public. It even, sir, involves the question whether or not the Governor has the power to ordain revenue duties without the authority of the Queen in Council.

We have no desire to make an appeal to the Imperial authorities if we can obtain satisfaction from the Governor. But we are of opinion that we have made out a case which cannot be evaded, and which requires the immediate investigation of the local government, and we submit that a public wrong which has been committed upon this community, in the person of one of its member, should receive satisfaction and redress. Our case is most simple. In 1848, under the government of Sir Robert Wilson, the revenue laws of Gibraltar were re-framed by the authority of the Privy Council; under the same authority in 1851, and in the government of your Excellency, those laws were amended and extended. No duties upon wines exported from this place, or transhipped in this Bay, were contemplated in 1848 and 1851, when the revenue laws of Gibraltar received the approval of the Queen, because no such duties were demanded or exacted; from 1848 to July 1853 the freedom of the port remained untouched. Yet in August 1853, import duties were demanded and exacted from Giacomo Bado, upon wines for exportation, thus declaring the right and the intention to impose similar duties upon the public.

We have carefully examined the existing Orders in Council regulating the sales of wines and spirits at Gibraltar. We can find nothing in them to authorize import duties upon wines for exportation. We are ignorant that power has been given to his Excellency the Governor, to impose new fiscal laws upon this population. We, therefore, presume that the revenue officers have acted upon their own authority in demanding and exacting duties which are not enacted by any of the Orders in Council under which the revenues of Gibraltar are collected.

And we humbly pray your Excellency to protect the commerce of Gibraltar from such illegal exactions, and from such unauthorized invasions upon its freedom.

We have, &c.

(signed) *W. Carver*, Chairman.
A. Cormack, Deputy Chairman and Treasurer.
J. Mackintosh, Secretary.
J. de M. Pariente.
R. Glover.
J. Price.
J. Smith.
J. Shakery.
H. A. Hurst.
Wm. Carver, jun.

His Excellency Lieutenant-General
Sir R. Gardiner, K.C.B., and K.C.H., Governor.

[No. 13.]

THE above letter, dated 18th August, from the Exchange Committee to the Governor, was returned on the 24th August, with the following note:—

Secretary's Office, Gibraltar, 23 August 1853.

RETURNED by direction of the Governor.
His Excellency suggests, to any of the parties who may feel individually aggrieved, an appeal to the local courts of law, or to Her Majesty's Secretary of State for the Colonies.

(signed) *G. Adderley*, Colonial Secretary.

To Mr. W. Carver, and others.

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[No. 14.]

NOTICE.

Secretary's Office, Gibraltar, 25 August 1853.

THE following copy of instructions, addressed by the Governor to the Captain of the Port, is inserted for the information of the public.

(signed) *G. Adderley*, Colonial Secretary.

Sir, Gibraltar, 23 August 1853.

I ENCLOSE, for your information, copies of permits framed for the guidance of Her Majesty's collector of revenue in Her Majesty's territory of Gibraltar, with a view of preventing fraud to Her Majesty's revenue, and abuse of the freedom of the port, by misinterpretation of the existing Orders in Council for regulating the sale of wine and spirits in Her Majesty's said dominions.

The clearness I have given these forms of permit will, I hope, no less facilitate the uninterrupted removal of wines or spirits, whether for the purpose of bonding them in the Queen's stores or transhipment for transit, than they will effectually defeat and prevent fraud of the revenue by the smuggler.

To these permits I beg your particular attention, with the further view that, while the revenue is protected, and the existing Orders in Council fully carried out, there may not occur, in the strictest interpretation, any deviation from the licit freedom of the port.

Another point, calling for your immediate attention, of no less consequence than the protection of the revenue, is an enforcement of the regulations of the Orders in Council relative to quarantine, which smugglers resorting to Gibraltar unscrupulously violate on every possible occasion.

I beg you will enforce the most strict compliance with the port and quarantine regulations under Her Majesty's Order in Council on this most important point, and effectually guard against any vessel being admitted to pratique the master of which is not provided with a manifest, together with a bill of health from the port the vessel last quitted.

Permits for the removal or transhipment of wine in the Bay may be obtained on application to Her Majesty's collector of revenue, under the following circumstances:—

1. For the removal of wine or spirits from the Queen's stores, or for transhipment of wine or spirits in transit, without payment of duty.
2. For landing wine or spirits, to be placed in the Queen's stores, not liable to wharfage.
3. For the removal of wine or spirits to the Queen's stores, wharfage paid.
4. For the removal of wine or spirits to house, store or private dwelling, from wharf or Queen's stores, duty and wharfage paid, or from Bayside without wharfage.
5. For transhipment of wine or spirits for consumption of crew and passengers on board vessels cleared out for sea voyage, duty free.

I am, &c.
(signed) *Robert Gardiner.*

To his Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies.

The humble Memorial of the undersigned, Chairman, Deputy Chairman and Members of the Exchange Committee, acting as the Chamber of Commerce of Gibraltar,

Showeth,

THAT your memorialists humbly and respectfully appeal to your Grace, as Her Majesty's Principal Secretary of State for the Colonies, for the purpose of laying before, and of representing to your Grace, the grievances of your memorialists, and of the inhabitants generally of this city, in the confidence that your Grace will give your memorialists an attentive hearing, and will duly consider the subject of their complaint.

That, in order to place clearly and accurately before your Grace the grievances complained of, in the first instance, your memorialists deem it necessary to make reference both to the former Order in Council and the present existing Order in Council, now in force in this city, for regulating the collection of Her Majesty's revenues in Gibraltar. The Order in Council formerly in force in this city is dated the 23d day of June 1841, and was intituled, "An Order of Her Majesty in Council, to alter and amend a certain Order in Council relating to the Revenue in Gibraltar, bearing date the 4th day of February 1833."

That it was ordered, by the second section of the said Order in Council, that no spirits, strong waters, or cordials, &c., should be admitted for consumption within the garrison and territory of Gibraltar above a certain strength.

That, by the sixth section of the said Order in Council, it was ordered that all casks, cases, and packages of wines, spirits, or strong waters, or cordials liable to the payment of duty at Gibraltar, should be opened at the expense of the owner, before being removed for consumption from the wharf at Waterport, or from the Queen's stores, in order that the quantity or strength thereof might be ascertained by the Queen's gauger.

That your Grace will readily perceive, by these extracts from the former Order in Council, that

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that the same had reference, solely and exclusively, to wines, spirits, &c., actually consumed within the garrison and territory of Gibraltar; and that persons might have actually landed either wines or spirits intended for future consumption on the wharf at Waterport, in Gibraltar, without being subjected thereby to the payment of any duty thereon—the payment of duties being exacted only on such wines or spirits as were actually removed, either from the wharf or from the Queen's stores, for the consumption of the persons resident in Gibraltar.

That, in further confirmation of this construction of the said Order in Council, your memorialists beg leave to refer your Grace to the Schedule appended thereto, which is worded in the following manner:—1st, Wharfage toll on all wines, &c., landed at Gibraltar; 2d, On all tobacco landed at Gibraltar; 3d, Duty on spirits admitted for consumption in the garrison, &c. And your memorialists contend, and humbly submit to your Grace, that the said prior Order in Council had reference solely to wines, spirits, &c., actually imported or introduced into Gibraltar for consumption therein. And that the said Order in Council had no reference to, and did not in anywise apply, and was not intended to apply, to the port, roadstead and anchorage of Gibraltar; such, your memorialists humbly state to your Grace, was the construction put upon the said Order in Council, not only by the inhabitants of the city without exception, but by the Governors of Gibraltar for the time being, and by all the officers in charge of collection of Her Majesty's revenues in this city. Your memorialists take the liberty of humbly assuring your Grace, that no attempt was ever made, either by the Governor, or the collector, or inspector of Her Majesty's revenues, or by the justices of the peace, to extend the provisions of the said Order in Council to the port, anchorage and roadstead of Gibraltar.

That in the year 1848, an Order in Council was enacted, intituled "An Order in Council for regulating the Collection of Her Majesty's Revenues in Gibraltar," published in Gibraltar by the Governor, and proclaimed on the 20th day of December 1848. And your memorialists humbly beg leave to draw the attention of your Grace to the preamble of the said Order in Council, in order that your Grace may clearly and distinctly comprehend the real scope, object and intent of the said Order in Council, the preamble of which is as follows:

"Whereas an inequality exists in regard to the duties payable on wines admitted into the garrison, which has the effect of exempting altogether from the payment those classes of the community which are best able to bear such charge: And whereas, moreover, in consequence of such inequality, numerous frauds are committed, with the object of evading the payment of the said duties, to the great prejudice of the local revenue, and with detriment to the fair trading licensed dealers; in order, therefore, that relief may be afforded to the inhabitants of Gibraltar generally, that the revenue may be protected by the removal of fraud, and that the expense attending the present system of partial duties on wines to be consumed within the garrison be lightened, it is expedient to repeal a certain Order in Council of his late Majesty, &c. &c., the aforesaid Orders are hereby consequently repealed, and in lieu thereof, the present Order (the one now in force in Gibraltar) is promulgated."

Your memorialists have quoted the preamble to this Order in Council, and humbly beg leave to call your Grace's attention thereto, as the said preamble will apprise your Grace of the object, the intent, and scope of the Orders in Council now in force in this city for the collection of her Majesty's revenues.

That your memorialists humbly submit that your Grace cannot but perceive from perusal thereof, that the sole object in view, by the enactment of the present Orders in Council, was to regulate the duties payable upon wines, which up to that time had been exacted from the poorer classes of this community, the wines consumed by families in their private dwellings being exempt from the payment of any duty whatever. This Order in Council, your Grace will perceive, varies in one essential particular from the preceding one, by laying a duty of five dollars indiscriminately on every pipe of wine "introduced into or landed at" the garrison and territory of Gibraltar. Your memorialists humbly submit to your Grace that this Order in Council speaks for itself, that its object is to remove an inequality existing in respect of duties payable on wine, and to establish a just equality on the payment of duties on wine to be consumed within the garrison.

That your memorialists cannot too strongly direct your Grace's attention to these words, "To be consumed within the garrison."

That your memorialists are of opinion, that the intention of the Queen's Most Excellent Majesty in Council could not be more clearly, accurately and definitely expressed. And your memorialists humbly, but firmly submit to your Grace, that the Order in Council now in force in this city, for the regulation of the collection of Her Majesty's revenues, refers to, and applies to wines, spirits, tobacco, &c., actually introduced into Gibraltar, either by the entrance thereto at Bayside, or landed and introduced into Gibraltar by the wharf at Waterport, for the consumption of the garrison, as expressed in the preamble to the said Order in Council. And your memorialsts humbly submit, that neither his Excellency the Governor of this city and territory, nor any of the justices of the peace acting as therein, or any of the ministerial officers of the Crown in the Revenue Department, are warranted or justified, by the said Order in Council, or anything therein, in extending the provisions of the said Order in Council beyond the limits of the garrison, or in other words, beyond the city, garrison and territory of Gibraltar. Your Grace will perceive that there is no intention expressed or implied, either in the preamble of the Order in Council, or any of its sections, to extend its provisions to the port, roadstead and anchorage of Gibraltar: and

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until the month of August 1853, there had been no attempt made to extend the provisions of the said Order in Council beyond the limits of the garrison.

That your memorialists now humbly beg leave to place before your Grace a detailed history of the proceedings of his Excellency the Governor, and of many of the officers of the Crown, by which your memorialists submit that they have, in common with the whole community of Gibraltar, been deeply aggrieved, and whereby they are still subjected to loss, inconvenience, annoyance, uncertainty and prejudice.

That your memorialists, however, before so doing, humbly take the liberty of informing your Grace that they are members of a body of merchants resident in Gibraltar, denominated the Exchange Committee; that this committee is annually elected, and that the members thereof are now, and have been, during the time they officiated as such members thereof, intrusted with the management of the commercial affairs of this community.

That your memorialists do not arrogate, and have not at any time arrogated to themselves the peculiar rights of, or pretended to be the members of a corporate body, but have merely, as the members of the Exchange Committee, undertaken to represent on behalf of the community, or at the request of individuals deeming themselves aggrieved, the particular subject of complaint or their grievances, either of the community collectively, or of any private individual making application to them in that behalf. And your memorialists beg leave to call your Grace's attention to the subjoined extract from the work lately published by the Right honourable the Earl Grey, in which his Lordship distinctly recognizes and approves of bodies similarly constituted to the body of merchants known in Gibraltar as the Exchange Committee. (The advice and assistance of which, in the administration of colonial affairs, his Lordship says, are, in his opinion and judgment, of the highest value.)

That your memorialists think it will be well to quote the passage entire for your Grace's government and information; it is as follows, page 31:—

"The publicity given to the estimates and accounts of the colonial expenditure," (which is done in every British colony with the exception of Gibraltar,) "and the rule that, except in cases of great emergency, the drafts of all proposed Ordinances should be published before being passed, have enabled the colonists to bring under the consideration of the Governors and legislative councils, and ultimately to the Secretary of State, any objections they have entertained to proposed Ordinances. Every encouragement has been given to them to make known their opinions freely both to the local and home Governments, and the most careful consideration has been given to their views, especially when they have been stated by chambers of commerce or municipal bodies, the advice and assistance of which, in the administration of colonial affairs are, in my judgment of the highest value."

That the Exchange Committee of Gibraltar is such a body, similar in every respect in its constitution to the Chambers of Commerce of Manchester and other places, none of which are corporate bodies, but are bodies composed of highly respectable and well-informed merchants, whose suggestions, advice and representations have always been received by her Majesty's Government with courtesy, attention and due consideration.

That his Excellency the Governor has lately refused to recognize your memorialists as a body of merchants empowered to act on behalf of the commercial part of this community, or of individuals, although he has freely communicated with them on many occasions as the representatives of the commercial interests of Gibraltar, and has lately treated them as so many individuals possessed of no power of representing others. Notwithstanding the refusal of his Excellency the Governor to acknowledge the representative character of your memorialists, your memorialists and the former members of the Exchange Committee (having a trust reposed in them by this community), have always deemed it to be their bounden duty to bring to the notice of his Excellency the Governor, or the Secretary of State for the Colonial Department, what are by them deemed to be well-founded complaints or grievances of the merchants, traders, or other inhabitants of this city.

That your memorialists having learned on or about the 26th day of July now last past, through the medium of a report made to them in their official, or quasi official character, as the members of the Exchange Committee of Gibraltar, that new orders had been given to the ministerial officers of the Crown, which orders, in their opinion, would tend to restrict the transhipment of wines, and to affect materially the sales of wines in the Bay of Gibraltar (your memorialists being of opinion, and being advised, that the Orders in Council did not extend to the port, anchorage, and roadstead of Gibraltar), thereupon addressed a letter to his Excellency the Governor, which letter bears date the 26th day of July last past, a copy of which, marked No. 1, is enclosed, for the inspection and government of your Grace.

That your memorialists therein most respectfully begged for information on the subject of the rumoured new orders, as well for their own government as for that of the community at large; the interests of all persons in this city, in your memorialists' humble opinion, being more or less affected thereby.

That on the 27th day of July, an official paper appeared in the "Gibraltar Chronicle," a copy of which, marked No. 2, is also enclosed for the inspection and government of your Grace. Your Grace will perceive that his Excellency alleges in this official paper, "that one of those disgraceful scenes of riot, drunkenness, and attempted murder, which had so long disgraced the Bay of Gibraltar, renders it incumbent on the Governor to direct the attention of the port and revenue authorities to a more rigid enforcement of the existing Orders in Council for the prevention of such licentious infractions of the peace and laws," &c. &c. Your memorialists, without at present making any comment on this passage in his Excellency's official paper, beg most respectfully to call your Grace's attention to an Order in

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Council, intituled, "Police of the Port," &c., dated at the Court of Brighton, the 5th day February 1827, the preamble of which is in the following terms, and to this effect:—"Whereas it is necessary to make provision for the more effectual prevention of all felonies, misdemeanors, and other offences, committed by persons on board of ships, boats, and vessels in the port of Gibraltar, and the roadstead and anchorage ground thereof; it is therefore ordered and declared, that the Captain of the Port of Gibraltar, for the time being, shall be, and he is hereby declared to be, by virtue of such office, and without any further or other commission, as justice of the peace, the jurisdiction of the Captain of the Port being by the said Order in Council confirmed and limited to the port, roadstead, and anchorage of Gibraltar; that the most ample power and authority, and jurisdiction, are by such Order in Council given to the Captain of the Port to apprehend all offenders against the law, and to suppress tumults, riots, and disorders in the port, roadsteads, and anchorage of Gibraltar." Your memorialists, therefore, humbly submit that if scenes of riot, drunkenness, and attempted murder have been frequent in the Bay (the existence of which, however, until the appearance of his Excellency's official paper in the "Chronicle" was unknown to your memorialists and this community at large,) there must have been dereliction of duty on the part of the port authorities, who are, by the Order in Council last referred to, invested with the most ample authority to apprehend evil doers, and to preserve quiet and good order in the port, anchorage, and roadstead of Gibraltar.

That since the day of the date of his Excellency's official paper in the "Chronicle," the justices of the peace, more particularly the present acting Captain of the Port, the collector, and other officers have been applying the provisions of the Order in Council of the 31st of October 1848, to the port, anchorage, and roadstead of Gibraltar, under the immediate direction, as your memorialists have been informed and verily believe, of his Excellency the Governor.

That a long correspondence ensued between your memorialists on the subject of this extension and application of the Orders in Council to the Bay, which your memorialists believe and are advised is illegal, and wholly inconsistent and incompatible with, and unwarranted by the provisions of the Order in Council for regulating the collection of the revenues now in force and operation in this city.

That your memorialists have taken the liberty of enclosing for your Grace's perusal, a copy of the correspondence which passed between his Excellency the Governor and your memorialists on the subject of the application of the Order in Council to the port of Gibraltar. Your Grace will perceive that his Excellency the Governor studiously avoids any recognition of your memorialists' representative character, and addresses them as so many individuals, and avers his readiness to hear any complaint made by individuals themselves aggrieved. Your memorialists, as your Grace will perceive by the tenor of the correspondence, have been unable to obtain any satisfactory explanation or information, either as individuals or members of the Exchange Committee of Gibraltar, on the subject of their complaints, and therefore are necessarily compelled to apply to your Grace, as Her Majesty's Principal Secretary of State for the Colonies, on the subject, which your memorialists do, with all due submission and respect.

That your memorialists have been informed and understand, that it is alleged by the authorities in Gibraltar that the extension of the Orders in Council to the port, anchorage, and roadstead is warranted by the word "territory." Your memorialists, with your Grace's permission, will make some observations on this particular point, calling your Grace's attention once more to the preamble in the existing Order in Council which refers solely to wines, &c. consumed in the garrison. Your Grace will find, by reference to the fourth section of the Order in Council in question, that the section is thus worded; "And it is hereby further ordered, that if any person or persons shall introduce or attempt to introduce into the garrison and territory of Gibraltar, or shall land or attempt to land thereat any goods, wines or merchandize, contrary to the provisions of this order;" your Grace will perceive from this quotation, that the provisions of the Order in Council apply exclusively to wines, &c. introduced into, or landed at, the garrison and territory of Gibraltar. Is it not a stretch of ingenuity to construe these words—the words "introduce into, and landed at,"—as applicable to the port, roadstead and anchorage of Gibraltar? The meaning of the section has hitherto been perfectly intelligible in its application to the limits of the garrison, which your memorialists contend is the true and legitimate construction of the Order in Council. There are in Gibraltar two recognized modes of legal introduction or importation; the one is by introduction through Bayside or the Barrier Gate on the land side leading to and from the Spanish Lines; to this mode of importation the word "introduce," in the Orders in Council clearly applies. The other mode of importation is by the wharf at Gibraltar, to which the words "landed at," clearly apply. The section is carefully, accurately, and definitely expressed, if the forced construction put upon the word "territory" is not insisted upon. If the word "territory" is to apply to the port, the section is vague, dubious, and most inaccurately worded. And your memorialists humbly submit, if the construction contended for by his Excellency the Governor be correct, that all wines introduced into the territory of Gibraltar (meaning thereby not only the garrison, but the roadstead, anchorage and port of Gibraltar) are subject to the payment of duty by the Orders in Council, every vessel coming into the port of Gibraltar (whether a trading vessel or a man of war) having wine on board her, will, by the mere fact of her having cast anchor in the port, have become liable to the payment of duty on the wines then on board her. Such, your Grace, is the necessary effect of the construction now contended for by his Excellency. This construction, your memorialists submit, by the absurdity of its necessary consequences, carries its own refutation with it.

That

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Memorial from Merchants of Gibraltar.

That your memorialists respectfully, in further confirmation of the construction hitherto held, refer your Grace to the Schedule of Duties.—Wharfage toll on wines landed at Gibraltar.—On tobacco landed at Gibraltar.—Duty on wines introduced into the garrison and territory.—Duty on spirits, &c. admitted for consumption in the garrison of Gibraltar. Your Grace will perceive that there is no allusion directly or indirectly to the port, anchorage and roadstead of Gibraltar. Your memorialists submit that this Order in Council ought to be construed literally and strictly, as is done in the case of statutes, and nothing can, or ought to be inferred or implied which is not actually and explicitly embodied or expressed therein. And therefore, that his Excellency has no precedent for straining the common meaning and acceptation of the word "territory," so as to extend the provisions of the Order in Council to the port of Gibraltar. But your memorialists humbly conceive that they will, by referring your Grace to the several Orders in Council enacted for Gibraltar, convince your Grace not only that no such meaning has ever been attached by the Government to the word "territory," but that the garrison and territory of Gibraltar have, in the Orders in Council, been expressly contradistinguished from the port, roadstead and anchorage of Gibraltar. There are in the garrison and territory of Gibraltar, Her Majesty's justices of the peace, the jurisdiction of whom is restricted and limited to the garrison and territory, or in other words the limits of the garrison. The Captain of the Port for the time being is a justice of the peace, appointed by virtue of a separate Order in Council, and his jurisdiction is limited to the port, anchorage and roadstead of Gibraltar. Your Grace will perceive by these several acts of the Government that it has recognized a separate magisterial jurisdiction, one for the garrison and territory, and one for the port. And in confirmation thereof, your memorialists respectfully beg leave to extract from the Order in Council, intituled, "Police of the Port," dated the 5th day of February 1827, the following section: "And it is further ordered, that the said Captain of the Port, and the constables to be appointed, by him as aforesaid, shall, by virtue of such their offices, have power to enter at all times, as well by night as by day, into and upon any hulk, lighter, boat or other craft, as aforesaid, not being then actually employed in her Majesty's service, lying or being in the said port, roadstead and anchorage ground, and into every part of such hulk, lighter, boat or other craft, for the purpose of inspecting and observing the conduct of all persons employed, or being on board thereof, and especially for the purpose of ascertaining whether any persons or person who may have been removed from the garrison and territory by the Governor or Lieutenant-Governor, are or is on board thereof, &c." This section clearly decides that persons in the port, roadstead and anchorage ground are not deemed to be within the garrison and territory; the Captain of the Port, by virtue of the special authority vested in him by the Order in Council, having a jurisdiction as a justice of the peace over all persons in the port. Your memorialists think it unnecessary to dwell more at large on this particular point. They humbly submit and contend that the strained and forced construction put upon the word "territory" is unwarranted either by the Order in Council in question, or by any Order in Council previously passed, and that it is, on the contrary, opposed to, and at variance with the sense and meaning attached to the word, both in the Order in Council now in question, and in every other Order in Council previously passed.

That your memorialists here respectfully beg leave to submit to your Grace's notice and consideration, the names of some of the individuals who have been personally aggrieved by the present extended application of the Orders in Council, together with the sums paid by some of them, either by way of duty, or of fine for an alleged breach of the revenue laws at the present time in force in the port of Gibraltar, by virtue of the new and enlarged construction and application thereof, to the port, roadstead and anchorage of Gibraltar.

1. One Augustin Zino, a mariner, was, on the 6th day of August last, compelled to pay the sum of one dollar and three reals, for a permit to remove a quarter cask of wine from the ship "Angel Costodio," to his own vessel, the "Theresa," then at anchor in the port of Gibraltar.

2. One Giacomo Bado, a mariner, was, on the 1st day of August last past, compelled to pay the sum of five dollars, as duty on a pipe of wine removed from a vessel of the name of "San Juan," then anchored in the port of Gibraltar, to his vessel the "Gloria," also anchored in the port, the said wine being intended for the consumption of himself and crew during a voyage which the said vessel was on the eve of commencing, and which vessel immediately afterwards put to sea.

3. Anthony Bado, a native of Genoa, master of the British schooner, "San Giovanni," was lying at anchor with his said vessel in the port of Gibraltar, on the 27th July last, that a person came on board his vessel to purchase a demijohn of wine, the said Bado then being on shore, the person produced a permit authorizing him to take the wine into the garrison of Gibraltar; the man in charge of the vessel on seeing this permit, delivered the wine to the bearer of it; on the next day the same person came on board again provided with a similar permit, signed by the competent authority, and the crew on board delivered the wine to this person.

That on the 1st of August, Anthony Bado was summoned before the Captain of the Eort for an infringement of the Orders in Council on two different occasions, and was condemned by him to pay two several fines of 10 *l.* each, although the person who purchased the wine had paid for and obtained a permit for such purpose.

That the said Anthony Bado subsequently memorialized the Governor on the subject, who remitted one-half of the fine; that other persons have been either fined, or have paid duties by virtue of this undue extension to the port of the Orders in Council, put into operation since the 1st day of August now last past.

That your memorialists deem it their duty to bring one other case to the special notice of your

I. Memorial from Merchants of Gibraltar.

your Grace, for the purpose of exemplifying the arbitrary manner in which his Excellency deals with the provisions of the Orders in Council: one James Speed, a trader, on the 29th day of August last past, sent an order to the Queen's stores for two octaves of sherry, to be shipped on board Her Majesty's ship "Cruizer," and permission was refused, because the said Speed was unable to state the destination of the said vessel; that the said Speed then made an application to James Bell, Esq., acting collector, for permission to ship the said wine, but he refused it, referring Speed to the Captain of the Port. That the persons at the port office informed Speed, that if the ship was cleared for sea, permission would be given, but not otherwise; and that if she had not cleared out, duty must be paid (the Queen's stores are bonded stores); that Speed again waited on Mr. Bell, and once more asked for the required permits, who informed him that he could not grant them, and that he had no instructions. That Speed then went to head quarters, but being unable to see his Excellency, had an interview with his son, the military secretary, on the subject, who, after consulting his Excellency, returned and informed Speed that Her Majesty's ship "Cruizer," might have any quantity of wine she required, free of duty, and the wine was shipped. And Speed, on the 31st day of August last, sent on board the "Cruizer," one dozen of brandy, free of duty. The inconsistency of his Excellency in this case is, that the "Cruizer" was at anchor in the Bay; and the wine and spirit so shipped duty free, was probably in part or wholly consumed in the Bay; that the application of the Orders in Council (if the construction of his Excellency be correct), is not equally and impartially enforced. Your memorialists feel confident that your Grace will be of opinion that the law ought to be fixed and determined, and not to be left in a state of doubt and uncertainty as to its application.

Wherefore your memorialists humbly and respectfully submit to your Grace, that there has been an undue and an illegal extension of the provisions of the Orders in Council, by applying the same to the port, anchorage and roadstead of Gibraltar. That the sums of money exacted by virtue of such undue extension as duties, or imposed as fines, were illegally exacted and imposed. And your memorialists humbly pray that the said several sums may be returned to the parties respectively from whom the same have been exacted. That your Grace will be pleased to give the necessary instructions that the provisions of the Order in Council in question be limited and restricted in its operation to the city, garrison and territory of Gibraltar, meaning thereby the limits of the garrison of Gibraltar. And your memorialists further humbly pray that his Excellency the Governor may be directed to recognize your memorialists as a chamber of commerce, to the extent that such bodies are recognized in England or elsewhere. And that his Excellency the Governor may also be directed to receive with courtesy and attention any communication in respect to commercial matters, which your memorialists may from time to time make to Her Majesty's Government in Gibraltar.

And your memorialists will ever pray.

(signed) *Wm. Carver*, Chairman.
Andrew Cormack, Deputy Chairman and Treasurer.
John Mackintosh, Secretary.
R. Glover.
James Price.
James Smith.
Jacob de M. Pariente.
Joseph Shakery,
Wm. Carver, jun.
H. A. Hurst.
John Peacock.

Gibraltar, 19 September 1853.

Enclosure No. 6.

Encl. in No. 6. To his Grace the Duke of *Newcastle*, Her Majesty's Secretary of State for the Colonies.

The humble Memorial of *Francisco Carrera*, of Gibraltar, Merchant.

Showeth,

1. That your memorialist is a British subject, resident in Gibraltar, and is the registered owner of a large falucho called the "Fuen Santa," which he built in Gibraltar in the year 1845, at an expense of upwards of 7,000 dollars.

2. That from the time of her being launched, the "Fuen Santa" has always sailed under British colours, and with Gibraltar papers annually granted by his Excellency the Governor of Gibraltar, under the authority of the Orders of Her Majesty in Council.

3. That the papers of the "Fuen Santa" having expired, your memorialist applied for their renewal in the usual manner on the 8th instant, when he was informed by George Adderley, Esq., the Colonial Secretary, that the Governor would not grant any papers for your memorialist's vessel, the "Fuen Santa," unless he, your memorialist, would give the security of two respectable persons that the vessel should not be engaged in the contraband trade, that is to say, in the trade which is prohibited by the fiscal laws of Spain.

4. That your memorialist thereupon made a memorial to his Excellency the Governor (a copy whereof is hereto annexed, and marked No. 1), dated on the 10th instant; and No. 1.

after

after waiting a week without receiving any answer, he called on Mr. Adderley on the 18th instant, when he was informed by that gentlemen that his Excellency the Governor would not then give him the papers for his vessel, but that he should have a final answer on the following day; and that he accordingly called at the office of the Colonial Secretary on the following day, where he was told by a clerk that the requisite papers would not be granted to him.

5. That your memorialist forthwith addressed a letter to Mr. Adderley (a copy whereof is hereto annexed, and marked No. 2). No. 2.

6. That your memorialist, on laying before your Grace his complaint of the conduct of his Excellency Sir Robert William Gardiner towards him in this particular, craves your permission to state the legal grounds on which he founds his claim, as a matter of right, to the papers for which he respectfully asked.

7. That it was enacted, by an Order in Council of his late Majesty George the Fourth, on the 30th day of September 1825, that Mediterranean Passes, to be first transmitted to the Governor of Gibraltar for that purpose, by or under the authority of the Commissioners for executing the office of High Admiral of Great Britain, should and might—the words of the Order are imperative, "shall and may"—be issued by the Governor, "on application to him for that purpose made to or in favour of any ship or vessel wholly built in the United Kingdom of Great Britain or Ireland, or in some or in one of his Majesty's colonies, plantations, settlements, territories or possessions beyond the seas: Provided always, that the owner or owners, and master-mariner, and three-fourth parts in number at the least of the seamen navigating any such ship or vessel, be natural-born subjects of his Majesty, or have or hath been resident at, and had his or her settled domicile and place of abode in Gibraltar aforesaid, for and during the full term of 15 years next preceding the time of granting and issuing any such Pass as aforesaid."

8. That under and by virtue of the provisions of this Order in Council, Mediterranean Passes were granted and issued to Gibraltar vessels for many years, without the imposition of any other conditions than those contained in the said Order in Council.

9. That by an Order in Council of Her Majesty, dated the 19th day of June 1850, the above Order of 1825 was "revoked, and absolutely repealed;" and it was then enacted as follows: "that it shall and may be lawful for the Governor, on application to him for that purpose made, to grant and issue, without the intervention of the Commissioners for executing the office of Lord High Admiral, certificates or other papers or instruments to or in favour of any ship or vessel which is duly registered at Gibraltar, or which wholly belongs to persons actually residing at Gibraltar, and entitled to be owners of British ships or vessels there registered, for the purpose of investing with a national character, or of placing under the protection of Her Majesty any such ship or vessel."

10. That your memorialist begs to call your Grace's attention to the words "shall and may be lawful," in the Order in Council, and to refer you to two cases concerning the construction of such words; the one, "Macdougall *v.* Patterson," decided in the Common Pleas Court in November 1851, and the other, "Clarke *v.* Powell," in the Court of Queen's Bench in February 1852, in both of which it was decided, that where in a statute it was enacted that in certain specified cases a judge "may direct," it was held that when the specified cases occurred, the word "may" was imperative on the judge, that it conferred an authority, but did not confer a discretion.

11. That the change in the law concerning Gibraltar shipping, effected by this last Order in Council, was (as it is respectfully submitted to your Grace) twofold; first, it removed the necessity for the intervention of Commissioners for executing the office of Lord High Admiral, conferring on the Governor the authority to grant and issue certificates, papers, and other instruments which should have the same effect as the Mediterranean Passes had; and, secondly, it revoked, and utterly repealed the condition previously annexed to the grant of such Passes, that three-fourth parts of the seamen navigating any such ship or vessel should be natural-born British subjects, or residents in Gibraltar for the 15 years next preceding.

12. That at the time when his Excellency Sir Robert William Gardiner, published in Gibraltar the said Order in Council of the 19th of June 1850, he issued and published in the "Gibraltar Chronicle" the following

"NOTICE.

"Secretary's Office, Gibraltar, 12 August 1853.

"WITH reference to the foregoing Proclamation and Order in Council, notice is hereby given, that persons desirous of obtaining certificates for navigating vessels belonging to this port, shall make application to his Excellency the Governor, through the Captain of the Port, on whose certificate that the owner and master, and three-fourth parts of the seamen navigating the vessel are natural-born subjects, or have when on shore been resident at, or had their settled domicile or place of abode at Gibraltar, for and during the full term of the preceding 15 years, a certificate for the vessel will be issued from this office for the period of one year, signed by the Governor, on the owner and master of the vessel entering into the usual bond.

"By his Excellency's command,

(signed) "*George Adderley*,
"Colonial Secretary."

I.
Memorial from Merchants of Gibraltar.

13. That by this notice, unauthorized by any Order in Council, his Excellency re-enacted the restrictions previously imposed on the grant of Mediterranean Passes, which had been by the existing Order of Her Majesty in revoked, and absolutely repealed.

14. That his Excellency Sir Robert William Gardiner, not satisfied with having thus by his simple notice, in fact, repealed Her Majesty's Order in Council, is now attempting, without even the poor formality of a notice, to impose a further restriction on the grant of certicates for vessels, which not only is not, and never was law, but is in direct opposition to the spirit of the improved fiscal laws of Great Britain, namely a condition that the vessel shall not be hereafter engaged in a trade prohibited by the fiscal laws of another country.

15. That your memorialist is the rather induced to bring his complaint to the notice of your Grace, because this act is only one part of a system which is now pursued by his Excellency Sir Robert William Gardiner, to lend all the aid in his power as Governor of Gibraltar, to enforce the fiscal laws of Spain; laws which are peculiarly hostile to British commerce, and adverse to the principles which have directed the British Government in their improved commercial legislations, and which whether injurious or otherwise to the interests of Spain, it ought at least to be left to Spain (as your memorialist humbly submits) to execute.

16. That if your memorialist had asked for a pass for his vessel from the tribunal of the real Haçienda of Spain, he might indeed have looked for some such condition on its grant as that now imposed by his Excellency Sir Robert William Gardiner, although in England it is never contemplated in the grant of a register to a British ship, to exact security from the owner against any prospective future breach of the revenue laws even of her own native country.

17. That your memorialist's vessel, the "Fuen Santa," is in all particulars entitled to her pass; she is owned wholly by a British subject, built in Gibraltar, and her master and three-fourth parts of her crew are either British subjects, or have been resident in Gibraltar when on shore for the last 15 years.

Your memorialist humbly prays, that your Grace will be pleased to take his case into your serious consideration, and will order that the necessary certificate for navigating his vessel the "Fuen Santa," be granted and issued by his Excellency the Governor, according to the terms of the Order in Council of the 19th day of June 1850.

And your memorialist will ever pray, &c.

Gibraltar, October 1853. (signed) *Francis Carrera.*

Sub-Enclosure 1, to Enclosure in No. 6.

No. 1.

To his Excellency Sir *Robert William Gardiner*, K.C.B., K.C.H., &c., &c. &c., Governor of Gibraltar.

The humble Memorial of *Francisco Carrera*, of Gibraltar, Merchant.

Sheweth,

That your memorialist is a natural-born British subject residing at Gibraltar, and the sole owner of a large falucho called "Fuen Santa," built at Gibraltar in the year 1845 by your memorialist, and registered in the port office of Gibraltar.

That the said falucho has always hitherto sailed with a Mediterranean Pass, granted annually on the application of your memorialist.

That your memorialist applied on Saturday last, the 8th instant, for a renewal of the Mediterranean Pass in favour of the "Fuen Santa," when he was informed by George Adderley, Esquire, the Colonial Secretary, that a Mediterranean Pass would not be granted in favour of the "Fuen Santa," unless your memorialist gave the security of two respectable persons that the vessel should not be employed in the contraband trade, that is (as your memorialist understood) in a trade that is contraband by the revenue laws of Spain.

That your memorialist begs to state to your Excellency that he has not any intention of employing this vessel (which has cost him upwards of 7,000 dollars) in so hazardous a traffic as that alluded to by the Colonial Secretary; that this vessel was not built by your memorialist for that trade; that she has never made a voyage to the neighbouring coast, and that she has not at any time (as far as your memorialist knows or believes) carried any goods, British or foreign, to the shores of Spain, the importation of which is prohibited by the fiscal laws of that country; but even were it otherwise, your memorialist begs most respectfully to remind your Excellency that no such restriction on the grant of Mediterranean Passes, as that alluded to by the Colonial Secretary, is or ever has been imposed by law.

That your memorialist craves leave to refer to the Order of Her Majesty in Council concerning certificates or other papers in favour of vessels wholly belonging to persons resident at Gibraltar, bearing date at Buckingham Palace on the 19th of June 1850, whereby it is ordered, that it shall and may be lawful for the Governor of Gibraltar, on application to him for that purpose made, to grant and issue certificates or other papers or instruments to or in favour of any ship or vessel which belongs wholly to persons resident at Gibraltar, and entitled to be owners of British ships or vessels there registered, for the purpose of investing with a national character, or of placing under the protection of Her Majesty, any such ship or vessel.

That

I.
Memorial from Merchants of Gibraltar.

That the Order in Council dated the 30th day of September 1825 which imposed certain other restrictions on the grant of Mediterranean Passes is repealed by the Order of 1850.

That your memorialist begs to represent to your Excellency, that both he and his vessel the "Fuen Santa," are in the case in which it is ordered that it "shall and may be lawful" for your Excellency to grant and issue in favour of the "Fuen Santa" such certificates or other instruments or papers as will invest the vessel with a national character, or place her under the protection of Her Majesty.

That your memorialist had understood the words used in the Order "that it shall and may be lawful," as conferring on him a right to the exercise in his favour of the authority conferred on your Excellency by the Order, provided he and his vessel were such as the Order in Council declares to be the fit recipients of the privilege thereby granted.

That your memorialist was confirmed in that belief by the notice published by your Excellency's command on the 12th August 1850, whereby it is declared that on compliance with certain conditions which were contained in the Order in Council of 30th September 1825, and on the owner and master entering into the "usual bond" certificate for the vessel "will be issued from the Secretary's office."

That your memorialist was of opinion that the imposition of any new and distinct restriction on the persons to whom this privilege was ordered to be granted, could only be effected by a new Order in Council, inasmuch as any such new and distinct restriction would in effect be at least a partial repeal of the existing Order in Council.

That the restriction on the employment of your memorialist's vessel which is thus proposed to be made, has never been hitherto imposed on the annual grant of a Mediterranean Pass in favour of the "Fuen Santa," nor on similar grants for other vessels belonging to your memorialist, and (as far as your memorialist knows and believes) this is the very first instance of any restriction being imposed on the granting of a Mediterranean Pass other than those specified in the Order in Council, and in the notice published on the 12th of August 1850 by command of your Excellency.

Your memorialist prays leave to submit the above considerations to your Excellency with great submission and with deep respect, and humbly prays that a Mediterranean Pass may be issued for the "Fuen Santa," in the same manner as it has been issued for that vessel since August 1850.

And your memorialist (as in duty bound) will ever pray, &c. &c.

(signed) *Francisco Carrera.*

Sub-Enclosure 2, to Enclosure in No. 6.

No. 2.

Sir, Gibraltar, 19 October 1853.

On application at your office this morning, I was informed by Mr. Mitchell that you had directed him to give me a verbal answer to my memorial, dated the 10th instant, to the effect that his Excellency the Governor refused to grant any papers or instruments to, or in favour of my vessel, the "Fuen Santa," as prayed in my said memorial, until he should receive further instructions from England, inasmuch as I and my captain were engaged in the contraband trade (as he called it). I beg to protest against the accuracy that either I or my captain are, or ever have been, engaged in any trade that is contraband in Gibraltar, or that the "Fuen Santa" has been employed at any time in any trade that is prohibited by the revenue laws of Spain, and I beg you to inform his Excellency in the most respectful manner, that the "Fuen Santa" is a valuable vessel, is kept at considerable expense, and that she is unable to go to sea on account of his Excellency's refusal to grant the requisite papers, to which I humbly submit that I am legally entitled, and which his Excellency is legally bound to grant and issue, and further, that for all the damage or loss I may suffer by the refusal or detention of such papers or instruments, I hold his Excellency personally responsible.

I am, &c.

George Adderley, Esq., &c. &c. &c.

(signed) *Francisco Carrera.*

Enclosure No. 7.

Encl. No. 7.

To the Right Honourable His Grace the Duke of *Newcastle,* Her Majesty's Secretary of State for the Colonies.

The humble Memorial of *Carlos Esterico,* a Native of Gibraltar.

Showeth,

1. That on Thursday, the 6th of the present month of October, your memorialist despatched from the Bay of Gibraltar a small boat called "La Caleça," having on board a patron named Benito Sabino, with six seamen, in charge of a quantity of tobacco and manufactured goods, and that the boat left her anchorage in the Bay of Gibraltar at about half-past five o'clock in the afternoon, and proceeded to row round Europa Point, keeping all the

1. Memorial from Merchants of Gibraltar.

way quite close to the rock, and never being at a greater distance from the shore than a stone's throw.

2. That on rounding Europa Point under the Gibraltar Lighthouse, the boat was met by two Spanish boats full of armed men, without any colours, who were creeping along close to the rock of Gibraltar, so near as to have to change their course slightly to allow your memorialist's boat to pass between them and the land.

3. That when your memorialist's boat had proceeded to a short distance the two Spanish boats turned about, and gave chase to the "Caleça," calling to the men to stop and give themselves up, but not summoning them in the name of the Queen of Spain, nor showing any flag or other sign of authority whatsoever.

4. That the patron and men of the "Caleça," finding they could not escape from the superior strength and fleetness of the boats that pursued them, pulled their boat on to a sandy beach called Old Catalan Bay, jumped on shore, and with their rope dragged the boat as far as they could up to the sandy beach.

5. That one of the two Spanish boats then went off, but the other, containing 11 men, came close to the "Caleça," and six of the crew (of whom Francisco Isquiano, a Spaniard of Alqueziras, acted as chief), jumped into the "Caleça," with drawn swords in their hands, and endeavoured to get your memorialist's boat off the beach; but finding they could not succeed, they stepped into the water, ran on shore, on the rock of Gibraltar, beat some of the crew of the "Caleça," who were wholly unarmed and unresisting, cut the rope by which they were holding on the "Caleça," pushed the boat off, got into her, and carried her away to Alqueziras.

6. That this outrage was committed at a little after six in the afternoon, in broad daylight, on the land of the rock of Gibraltar, and so near to the outpost of the guard at Catalan Bay, that had it not been for the projection of a part of the rocks, the sentry might have clearly witnessed all that passed.

7. That the patron and crew of the "Caleça" having been thus left on shore, immediately came round into the city of Gibraltar, and went with your memorialist to the office of the honourable George Grey, Esq., the Captain of the Port, and made their complaint, and that their declarations on oath were taken before that officer and magistrate.

8. That the depositions thus taken were laid before his Excellency Sir Robert William Gardiner, but that he did not take any notice of them.

9. That your memorialist then stated these facts in writing to his Excellency on the 12th of October, and after various fruitless applications for an answer thereto, was at length informed, on the 22d of October, that there was not any answer to be given to his representation.

10. That your memorialist's boat and cargo have been carried to Alqueziras (as your memorialist informed his Excellency Sir Robert William Gardiner), and are there detained under colour of the Spanish revenue laws as lawful prize.

11. That your memorialist, being unable to get redress through the Governor of Gibraltar, whose territory was thus violated, is compelled to apply to your Grace for that protection which he has failed to obtain here from the officer to whom he had looked as the appointed guardian of British rights in this city.

12. That your memorialist craves leave to refer your Grace to two cases of similar violence that took place on very nearly the same spot many years ago (which cases your memorialist quoted in his memorial to his Excellency Sir Robert William Gardiner), in both of which the rights of British subjects are vindicated by the law.

13. That the first of those cases occurred in the year 1831, when Sir William Houstoun was the Governor of Gibraltar, in which an attempt was made to capture a Gibraltar trading boat and her cargo by two boats, alleged to belong to a Spanish Guarda Costa, called the "Invincible;" on that occasion the English sentries at the outpost of Catalan Bay, witnessed the attack, and by their active armed assistance six of the crew of the Spanish boats were made prisoners; that these six persons were tried at the Admiralty Sessions in Gibraltar on the 19th of July 1831, were found guilty on an indictment for piratically shooting, &c., and sentence of death was recorded against them, which sentence was commuted to 14 years' transportation.

14. That a correspondence on the subject of this trial and sentence took place with the Colonial Office, and that his Majesty's then Secretary of State for the Colonies, Lord Goderich, in a despatch dated in April 1832, signified his approbation of the convictions, but on consideration of certain palliating circumstances, as to the acts of the six individuals, directed that the commuted sentence of transportation should be further commuted to 12 months' imprisonment; which punishment they suffered.

15. That the other case to which your memorialist begs to call your Grace's attention, occurred in the year 1835, and was even more similar in its details to the present circumstances than the previous case. In that case a boat laden with tobacco was attacked and seized on the same spot, close to Old Catalan Bay; the crew of the boat were left on shore, and the boat and her cargo taken as a prize to Algeciras; that afterwards the person who acted in command of the Spanish boat, was found and taken up in Gibraltar, and tried before the Admiralty Commissioners on the 30th September 1835, on an indictment for robbery of the boat and cargo; he was found guilty, and sentenced to 12 months' imprisonment, which punishment he suffered.

16. That these cases establish the principle, if indeed the principle could be doubted, that no pretence of enforcing the revenue laws of Spain can justify the use of violence within the jurisdiction of Gibraltar.

17. That

I.
Memorial from Merchants of Gibraltar.

17. That your memorialist craves leave respectfully to submit to your Grace, that if the execution of the fiscal laws of Spain were a justification of the act of Francisco Isquiano, and his men in the present case, the same justification would equally apply to a robbery by persons being, or pretending to be Spanish revenue officers in the streets of Gibraltar, of goods that are prohibited from introduction into Spain; nay, that it would even protect any officer of the French revenue in making a revenue seizure in the streets of Dover, of any goods which are contraband by the laws of France.

18. That your memorialist is impelled to make this representation to your Grace by the well known fact that the Spanish revenue boats and officers are emboldened to commit such outrages, by the countenance which they receive, or think and boast that they receive from his Excellency Sir Robert William Gardiner, whose determination to use his authority to put down any acts or dealings that may result in a breach of the fiscal laws of Spain is publicly notorious, and whose administration at present of his government in this respect, amounts, in fact, if not in name, to an efficient administration in Gibraltar, by a British Governor, of the revenue laws of Spain.

19. That this course of proceeding on the part of his Excellency, Sir Robert William Gardiner, is not only opposed to legal decisions, but is without precedent in the conduct of any previous Governor of Gibraltar; that it has already produced, and is still additionally producing the most disastrous consequences to the trade, both wholesale and retail of Gibraltar, and will, if persisted in, effect the complete ruin of all commercial business here, and hence cause the decline and extinction of the local revenues which mainly depend on the commerce of the city.

20. That your memorialist cannot point out a more striking proof of the pernicious effects thus caused than is afforded by the universal, the unanimous discontent, and almost disaffection which his Excellency's conduct has produced in this community; than which it would be difficult to find one in the whole of Her Majesty's dominions more loyal, more submissive, or less disposed to complain of any acts of Government that have a show of reason or of law.

And your memorialist most earnestly prays to your Grace to give his case your serious consideration, and to cause such steps to be taken as will insure the restoration of his stolen property; for stolen, he is justified by legal decisions in calling it; and will arrest the progress of a course of administration in Gibraltar that must inevitably lead to a repetition of these violations of the rights of British subjects, and of the security of British property, and will end in the utter ruin of commerce in this city.

And your memorialist will ever pray, &c.

Carlos Esterico.

Sub-Enclosure 1, to Enclosure No. 7.

Sir, Secretary's Office, Gibraltar, 31 October 1853.

The Governor directs me to acknowledge the receipt of your memorial to the Duke of Newcastle.

His Excellency has, in consequence, addressed the particulars of the "Calessa" case to the Spanish Consul, to learn if there are any extenuating grounds on which he can apply for the restitution of the boat to Benito Sabino, and he will forward the consul's reply, with your memorial, to the Secretary of State for the Colonies. But his Excellency cannot think that the Spanish Government would interfere in his behalf, or, that the Government of England would afford sanction or protection to smuggling, "quite close to the rock," and, "never at a greater distance from the shore than a stone's throw."

I am, &c.

(signed) *G. Adderley,*
Colonial Secretary.

Sub-Enclosure 2, to Enclosure No. 7.

To His Excellency Sir *Robert William Gardiner*, K.C.B., K.C.H., &c. &c. &c.,
Governor of Gibraltar.

The humble Memorial of *Carlos Esterico*, Native of Gibraltar.

Showeth,

That your memorialist is the owner of a boat and goods on board of her, which were seized and carried away by some armed Spaniards, at about six o'clock in the afternoon on Thursday last the 6th instant, from the shore of this rock, the boat having been aground at the time, near to the guard-house at Old Catalan Bay.

That the boat had left the Bay at Gibraltar about an hour before this unlawful seizure, and had never been out of the British waters, from her leaving the Bay, until that seizure, having crept close to the rock round Europa Point, until she arrived under the guard-house at Catalan Bay.

I.
Memorial from Merchants of Gibraltar.

That the facts relating to this transaction were declared on oath before the Honourable George Grey the Captain of the Port, and the depositions laid before your Excellency.

That your memorialist is justified in calling this seizure a robbery by the armed Spaniards who committed it, by the precedent of a similar case which happened in Gibraltar, in the year 1835 in which, under almost the same circumstances, the parties who perpetrated it were tried at the Admiralty Sessions on the 30th September 1835, found guilty of the crime, and sentenced to 12 months' imprisonment. The notes of the evidence, verdict and sentence in which case are now in the registry of the Supreme Court of Gibraltar; and your memorialist can hardly entertain a doubt, that had the Spaniards who committed this flagrant violation of the laws in open daylight, in the presence of British sentries on British ground, been present before the Captain of the Port, at the time the examinations were taken, that magistrate would have felt bound to commit them to take their trial for the legal offence.

Your memorialist would also beg to refer your Excellency to another case of attack by a Scampavia, on a trading boat, under the advanced guard-house at Catalan Bay, in which the Spaniards, who made the attack, were fired on, and made prisoners by the English sentries. Six of these Spaniards who were proved to have been at the time in the service of the Queen of Spain, and part of the crew of a Spanish Guarda Costa, called the "Invincible," were tried on 19th July 1831 for their violence, found guilty, and sentence of death was recorded against them, which was commuted to 14 years' transportation.

That both these attacks were made on boats loaded with tobacco, which, as it was pretended, was about to be introduced into Spain, in breach of the revenue laws of that country.

That the Spaniards, in the present case, who escaped with their booty, are well known, and that the name of the principal offender appears on the depositions, and that the boat and goods so seized, are at this time in Alqueziras, as a pretended lawful capture.

That your memorialist respectfully and earnestly begs your Excellency's attention to these facts, not so much with reference to the breach of the laws of Great Britain, as with reference to the flagitious insult to British jurisdiction of any pretended attempt to enforce the revenue laws of Spain on British soil by armed violence.

That your memorialist begs to represent to your Excellency, that if Spanish Guarda Costas (supposing these men to have been such) be justified in seizing goods that are contraband by the laws of Spain, within the limits of British jurisdiction, then there is no reason why a seizure on the like ground should not be made on the Auction Square of Gibraltar, in front of the main guard, where tobacco is constantly exposed for public sale, to any one, who, for any purpose, choose to buy it; inasmuch as property is as fully under the guard of the British laws in Catalan Bay as in the main street of Gibraltar, since it is not more protected by British law in one part of Her Majesty's dominions, than in another.

Your memorialist therefore appeals to your Excellency as the appointed guardian of the rights and privileges of those who dwell under your Excellency's command on British soil, and prays that you will be pleased to make such representations to the Governor or other proper authorities in Alqueziras, or elsewhere, in Spain, as will affect the restitution of their stolen property.

And your memorialist will ever pray, &c. &c. &c.

(signed) *Carlos Esterico.*

Gibraltar, 13 October 1853.

Enclosure No. 8.

Exchange Rooms, Gibraltar, 13 October 1853.

Encl. No. 8.

At a crowded meeting of merchants, landowners and others, interested in the commerce of Gibraltar, held this day in the Public Room of the Exchange, in pursuance of the following notice:—

The merchants, landowners and others interested in the commerce of this place, are respectfully requested to meet in the Public Room of the Exchange, for the purpose of appointing two or more gentlemen to proceed to England, as a deputation, to present a duplicate of the memorial to his Grace the Duke of Newcastle, Her Majesty's Secretary of State for the Colonies, respecting the trade of Gibraltar, and to support its prayer.

By order of the Exchange Committee,

(signed) *John Mackintosh,* Secretary.

Gibraltar, 11 October 1853.

William Carver, Esq., was called to the Chair.

The chairman read the notice convening the meeting, and also a memorial to the Secretary of State for the Colonies, respecting the commerce of Gibraltar, signed by 394 British subjects, inhabitants of Gibraltar.

Proposed

I.
Memorial from Merchants of Gibraltar.

Proposed by H. L. Glynn, Esq., seconded by Peter Canepa, Esq., and carried unanimously,—

1. *Resolved*, That the memorial now read be adopted by this meeting.

Proposed by Andrew Cormack, Esq., seconded by Thomas Drinkwater, Esq., and carried by acclamation,—

2. *Resolved*, That the memorial be sent to his Excellency the Governor for transmission to Her Majesty's Secretary of State for the Colonies, in the usual manner, and that a deputation from Gibraltar be sent to England to present the duplicate of the said memorial to the Secretary of State.

Proposed by George Rowswell, Esq., seconded by Charles Thibaudier, Esq., and carried by acclamation,—

3. *Resolved*, That William Carver, Esq., chairman of the Exchange Committee, and John Peacock, Esq., do forward the original memorial to his Excellency the Governor, and that they do form the deputation from Gibraltar to present the duplicate of the said memorial to the Secretary of State, and that several influential gentlemen in England (whose names were submitted to the meeting, and unanimously approved), be respectfully and earnestly solicited to join the deputation from Gibraltar.

Proposed by A. Weir, Esq., seconded by W. Recaño, Esq., and carried unanimously,—

4. *Resolved*, That the members of the Exchange Committee, with the addition of James Thomson, W. Ross and H. L. Glynn, Esqrs., do act as a special committee to conduct the business relative to the memorial, and that their proceedings be registered in a book, which book is to be open for public inspection.

Proposed by Joseph Shakery, Esq., seconded by John Mackintosh, Esq., and carried unanimously,—

5. *Resolved*, That a subscription be opened for the purpose of defraying the expenses of the deputation to England, and for all other charges connected therewith, and that P. Canepa, Wm. Recaño, H. L. Glynn, Anthony Mañetto and Solomon Abudarham, Esqrs., do form a committee, with power to add to their number, for the purpose of collecting the said subscriptions, and that A. Cormack, Esq., be appointed treasurer of the fund.

Proposed by H. L. Glynn, Esq., seconded by W. Thornton, Esq., and carried unanimously,—

6. *Resolved*, That the proceedings of the meeting be published in the "Gibraltar Chronicle;" in the "Times," "Daily News," and "Morning Chronicle," London newspapers; in the "Manchester Guardian," "Liverpool Times," "Leeds Mercury," and other provincial journals, and that handbills be published in Gibraltar, for local information.

(signed) *Wm. Carver*,
Chairman of the Meeting.

Mr. Carver then vacated the chair. A. Cormack, Esq., was thereupon appointed to succeed him.

Proposed by P. W. Lavie, Esq., seconded by James Stalker, Esq., and carried unanimously,—

7. *Resolved*, That the thanks of the meeting be given to W. Carver, Esq., for his able conduct in the chair this day.

Proposed by H. L. Glynn, Esq., and carried by acclamation,—

8. *Resolved*, That the cordial thanks of the meeting be tendered to the members of the Exchange Committee, individually and collectively, for their unceasing exertions in promoting the commercial and landed interests of Gibraltar.

(signed) *Andrew Cormack.*

II.
Correspondence relative to Memorial.

II.

CORRESPONDENCE relative to Memorial presented to the Duke of *Newcastle* from the Merchants of Gibraltar.

— No. 1. —

(No. 142.)

COPY of a DESPATCH from Governor Sir *R. Gardiner*, K. C. B., to the Duke of *Newcastle*.

Gibraltar, 3 November 1853.
(Received, 17 November 1853.)

No. 1.
Sir R. Gardiner, K.C.B. to the Duke of Newcastle.
3 November 1853.

My Lord Duke, (Answered, 15 January 1854, No. 117, page 61.)

I HAVE the honour to forward to your Grace a document purporting to be the credentials of Messrs. Carver and Peacock, as possessing the confidence of the memorialists who have appointed them as deputies to represent their grievances to your Grace. It is wholly unnecessary, for what they assign as their purpose is already completed by their signature standing appended to their memorial.

2. But the object really aimed at is an excuse to bring again before your Grace, under new Parliamentary influence, a precis of the several separate clauses of their unattainable memorial, answered in my report to your Grace of the 21st March 1853.*

* Page 64.

3. Till honoured with your Grace's commands, I shall be anxious to avoid all unnecessary interruption to the nearly overwhelming work caused by Mr. Carver's and Mr. Peacock's memorials, till they have made full statement of their grievances to your Grace, whether relating to the sea or land territory of Gibraltar.

4. The grounds of these oft-repeated grievances are, smuggling and quarantine; the curse of Gibraltar as they are of Spain. The one cankers licit trade to the core, the other fetters it. Who can wonder at trade's decline; yet the traders who complain loudest, who live by the moral corruption and smuggling of the poor and indigent, would submit the first to the most degrading imposition of quarantine and forfeiture of England's national independence, rather than abandon a disreputable, ruinous trade.

5. I have tried for five years to make the trade of Gibraltar honest and respectable. The memorialists are horrified at the thoughts of it.

6. And who are the men who consider themselves aggrieved?

7. What are they?

8. What is it they want?

9. Unfettered smuggling and Spanish quarantine.

10. Ask again by what right do they demand or dictate new laws?

11. They are traders who came to this conquered dominion, a Crown fortress, on sufferance. They came here too, advisedly, for their own purposes, and conditionally, subject and obedient to the regulations of a garrison; to regulations under which they knew they must live in this garrison, debarred all hope of ever attaining the civil immunities of free chartered colonies.

12. At length, with inconceivable boldness, they abuse the indulgence formerly conceded to them; call "smuggling" with Spain "trade." They assert even a right to compel Spain to buy their cottons and tobacco. They think it lawful to destroy the health of the troops of this garrison by the in-smuggling of alcohol, alchymized in every deleterious form, and sold to the troops; this pernicious traffic they also call trade. They complain of over-burdened taxes, while there is not a tax at Gibraltar except a small duty on the medicated fire sold to the troops. They complain of public debt attending public expenditure to which they do not contribute. If Mr. Carver and Mr. Peacock were not to drink wine or spirits, they would not contribute one farthing to the annual revenue of Gibraltar. They meddle and interfere with every thing that will shuffle off all control over smuggling, while they would do every thing in their power

power to rivet the duration of Spanish quarantine. Of the entire civil population of the garrison, about 1,200 are English; many of them reckless, and bankrupt in name, and even in smuggling; for ever agitating for political power; by initiating about 15,000 alien residents, in the opposition and defiance of garrison law, and demanding in the name of these aliens civil and political rights, which they neither comprehend or care for; all they want is unlimited smuggling; a deputation made in the name of such men is a farce, and in every instance the assertions put forth in their name are false, as I can prove to the members of the Legislature called on to support them in their appeal to your Grace.

13. It cannot be supposed that persons so ignorant, in the hands of others so daring and reckless, would weigh in their minds the objects asked in their names, much less inquire whether Gibraltar is become irretrievably a smuggling port and colony to Spain, or a fortress and military position to England; whether this noble conquest is to continue to England a reproach to her name, and a perpetual festering thorn in the side of Spain, to make fortunes for a few trading adventurers in contraband.

14. I purpose awaiting your Grace's commands till the full object of the deputation is revealed, when I shall be able, with your Grace's sanction, to afford the members of the Legislature every explanation of the grievances which, under their countenance, are about to be brought under the investigation of Her Majesty's Government.

I have, &c.
(signed) *Robert Gardiner.*

Enclosure in No. 1.

To his Grace the Duke of *Newcastle*, Her Majesty's Secretary of State for the Colonies. Encl. in No. 1.

May it please your Grace,

We, the undersigned British merchants and British inhabitants of Gibraltar, beg leave to inform your Grace, that at a public meeting of the merchants, traders and others, inhabitants of Gibraltar, holden in the Public Room of the Exchange, on the 13th October, William Carver, Esq., Chairman of the Exchange Committee, and John Peacock, Esq., were appointed to proceed to England as a deputation to lay before your Grace a memorial respecting the trade of Gibraltar, we humbly assure your Grace that these gentlemen are in the possession of our confidence, that they faithfully represent the feelings of this community, and that they have full authority from us to detail to your Grace all our grievances and wants.

2. We cheerfully admit our liability to be charged with all the necessary expenses of our local government; but we desire to represent most earnestly to your Grace that an unwise system of secret legislation, carried on through a long series of years, has sapped the prosperity of our trade, which has been much affected by injudicious enactments and arbitrary and unnecessary regulations. That the whole fiscal system of this colony requires a searching revision and thorough reform; that it is crude, unjust, oppressive, and restrictive to trade; and that there is strong and urgent necessity for a prompt and an effective reduction of the present public expenditure, an expenditure which was never required by the exigencies of the public service. That the inhabitants of Gibraltar are not consulted in any manner in the framing of projected Ordinances, nor is any question relative to trade submitted to them for their judgment and report. That the consequence thereof has been, and still is, that the merchants and traders have constant reason to complain of illegal and undue interference with the freedom of their trade on the part of the local government.

Wherefore, we humbly pray that your Grace will give to our delegates a patient and an attentive hearing; that you will be pleased at once to appoint an impartial Commission, with ample powers to inquire into and to revise completely the existing fiscal laws of Gibraltar; to inquire into the public receipts and expenditure of this colony, with a view to the immediate and permanent reduction of the unnecessary expenses of our local government, by the amalgamation of offices and reduction of excessive salaries; and to report to your Grace upon the necessity of the appointment of a consultative council to digest and consider all laws and matters connected with the public revenue and the trade of Gibraltar.

Gibraltar, 24 October 1853.

A true copy of the original memorial, forwarded to his Excellency the Governor on the 1st instant, for transmission to his Grace the Duke of Newcastle, Secretary of State for the Colonies, signed by 403 British merchants and British inhabitants of Gibraltar.

(signed) *Andrew Cormack,*
Chairman of the Special Committee appointed at a Public Meeting, held 13 October 1853.

II.
Correspondence relative to Memorial.

— No. 2. —

(No. 143.)

COPY of a DESPATCH from Governor Sir *R. Gardiner*, K.C.B., to the Duke of *Newcastle*.

Gibraltar, 4 November 1853.
(Received, 17 November 1853.)

No. 2.
Sir R. Gardiner, K.C.B. to the Duke of Newcastle.
4 November 1853.

My Lord Duke, (Answered, 15 January 1854, No. 117, page 61.)

THE enclosed soiled paper was taken by one of the police. It shows the working means of the political agitators of Gibraltar. I do not produce it as an ostensible means of mischief; but to exemplify the system, and how persons of Mr. Carver's and Peacock's views move forward. It was printed at an unlicensed printing-office, and dispersed through the streets. The cause of Mr. Carver and others who act with him is never to be satisfied. "Still move on, you may fail in your first cast; but move on, you may gain something another time." And so this fortress is kept in a state of continual political agitation; aiming at purposes which can never be attained.

2. The present organized purpose of simultaneously addressing combined numbers of memorials to your Grace, had its rise in the necessity of rallying all parties to make one last stand to defeat my known determination to suppress smuggling. Thus, it is given out here, that three Members of Parliament, numerous members of the Manchester Association, Mr. Rolkschild, Mr. Bland, formerly much interested in the smuggling trade of the place, and various others, are to assemble in London about the middle of the month, to meet and support Mr. Carver and Mr. Peacock, as a deputation, to make known to your Grace all the grievances of oppression, taxation and restricted trade endured by the inhabitants of Gibraltar.

3. The Jews even of the place, animated by the example of Mr. Carver, Glynn, Peacock, Glover, and others, have joined the confederacy, and charge me with unconstitutional illiberality, for not letting them burn the town down on their festival of the Tabernacles.

4. In a memorial from Don Carlos Esterico, one of the most notorious smugglers of the place, Mr. Cornwall, one of the tribunal of the Supreme Court of Gibraltar, makes the memorialist say, that the Governor's persevering and mistaken notions about smuggling, rouses a feeling almost approaching to "disaffection." I do assure your Grace it is full time to repress this agitation, and to recall to the recollection of these people, that they are residing in a fortress to which they only came on sufferance, and that while they stay here, they are bound to conform both to its laws and regulations.

5. There will in a few days be before your Grace three memorials from Mr. Carver and his followers, and one from Mr. Glassford. They all contain assertions boldly and deliberately made, which are wholly and entirely false. The unfounded assertions should be refuted, and what is false should be exposed. I am prepared to do this, whenever I may be honoured with your Grace's commands to do so.

6. Some memorials of lighter importance addressed to your Grace by smugglers, I have forwarded but with slight comment.

7. The memorial which I have forwarded to your Grace from the Jews replies for itself. I have, however, in the covering letter, submitted to your Grace the reasons which render the objects of the memorial inadmissible.

I have, &c.
(signed) *Robert Gardiner*.

Enclosure in No. 2.

From "Galignani's Messenger," of the 30th September 1853, No. 12,059.

Extract from Lord *Palmerston*'s Speech, delivered at Perth.

Encl. in No. 2.

"THE office which I have the honour to hold, places me in more intimate and close relation with my fellow countrymen at home. I trust that in the performance of these duties, I shall receive their cordial and general support. A Minister of State, gentlemen, has no better eyes, and can see no further than his neighbours. The probability is, that after a very short time of reading bad hands and pale ink, his physical eyes will be rather worse than those of others. His ears are not like those of Dionysius, the Sicilian, and they

they can hear very little of what comes from a distance; but his countrymen have eyes to see, and they have ears to hear, and they have tongues to speak, and they have pens to write; and if those who see and hear things that are going wrong will have the goodness to communicate to that officer whose duty it is, and who may have the power of setting these things right, I can assure you, gentlemen, I can assure my fellow countrymen, that whoever does that, will be conferring a great favour on the man in office, and will be doing a great benefit to the country at large. (*Applause*). I know that among a great number of communications, there may be many which are founded in error, in mistake of facts, in misconception of powers to remedy them. There may be a great deal of chaff in that which is sent, but if in a bushel of chaff he shall find a pint of good corn, that bushel of chaff will be worth the winnowing, and he can turn the pint of corn to good purpose. (*Applause*). Therefore, though many persons may think that communications from individuals give trouble to those who are in office, never mind that, I care not for it, the more trouble that is given, if it is for a good purpose, the better, for it is only by the assistance of the public at large that men in office can adequately and satisfactorily perform their duties."

— No. 3. —

(No. 144.)

COPY of a DESPATCH from Governor Sir *R. Gardiner*, K.C.B., to the Duke of *Newcastle*.

Gibraltar, 4 November 1853.
(Received, 17 November 1853.)

No. 3.
Sir R. Gardiner, K.C.B. to the Duke of Newcastle.
4 November 1853.

My Lord Duke, (Answered, 15 January 1854, No. 117, page 61.)

Mr. Carver and Mr. Peacock, who are about to proceed to England with memorials, to present to your Grace, purporting to be on trade, have requested me to allow them to bear a copy also of a memorial, dated 30 September last.

2. There can exist no difficulty on my part, and I have consequently acceded to their request. And though such manner of transmission is not the ordinary channel, I am induced, at Mr. Carver's desire, to solicit your Grace to consider it in that form as official.

3. Till I can learn the full disclosures Mr. Carver and followers will reveal to your Grace, I cannot reply to them. But I would respectfully beg the several Members of the House of Commons, who have been induced to afford their support to Mr. Carver's memorial, to withhold their judgment till they have heard what may be the reply to the memorials by the local Government. Till they have well weighed in their minds that the memorialists are residents of a frontier fortress, bordering on another nation, together with the irreconcileable views of military and mercantile men, and the total incompatible existence together in any fortress, but especially in this, of civil and political agitation, and adequate supreme military power, influence and control, necessary for its safety.

I have, &c.
(signed) *Robert Gardiner.*

— No. 4. —

(No. 153.)

COPY of a DESPATCH from Governor Sir *R. Gardiner*, K.C.B., to the Duke of *Newcastle*.

Gibraltar, 8 November 1853.
(Received, 17 November 1853.)

No. 4.
Sir R. Gardiner, K.C.B. to the Duke Newcastle.
8 Novembr 1853.

My Lord Duke, (Answered, 15 January 1854, No. 117, page 61.)

I HAVE the honour to inform your Grace, that Messrs. Carver and Peacock proceed to-day, to England, as a deputation, to solicit a reform in the laws and Orders in Council, forming the municipal charter of Gibraltar.

2. I regret that the necessity of constant superintendence, renders it impossible for me to solicit leave to proceed to England with Mr. Carver and Mr. Peacock. As their *ex parte* representations, without reply or explanation from the Governor, mislead and compromise the power of Her Majesty's Government in a decision not grounded on correct assertions.

II. Correspondence relative to Memorial.

3. It is right I should inform your Grace, that on the 2d instant, I sent for Mr. Carver and Mr. Peacock, and informed them, that I should prepare no reply to their claims or complaints till I received orders from your Grace to that effect; to deal with any allegations against myself, or afford any opinions on the necessity or policy of the reforms they demand, would be impossible till I was apprized of the full charges verbally stated against me, and had been honoured with your Grace's commands to explain and report on them.

I have, &c.
(signed) *Robert Gardiner.*

—No. 5.—

(No. 9.)

Extract of a DESPATCH from Governor Sir *R. Gardiner*, K.C.B., to the Duke of *Newcastle*; dated Gibraltar, 10 January 1854.

(Received, 18 January 1854.)

(Answered, 10 February 1854, No. 126, page 63.)

No. 5. Sir R. Gardiner, K.C.B. to the Duke of Newcastle. 10 January 1854.

I beg leave to inform your Grace, that there is at this moment, a copy of a letter circulating in this garrison (printed in London), addressed to your Grace by certain traders of Gibraltar, attributing falsely, measures and motives to the Governor, evidently as a means of effecting changes in the government, and the freer facility of smuggling. * * *

Besides this letter, there are some printed scraps reservedly circulated, professing to be short-hand notes of your Grace's reply to the deputation. These, of course, I have not sought to read. Indeed, have declined doing so, both from respect to your Grace, and confidence that truth will be vindicated in your Grace's high sense of justice, and regard to the interests of Her Majesty's service, and the safety of this fortress.

—No. 6.—

(No. 17.)

Copy of a DESPATCH from Governor Sir *R. Gardiner*, K.C.B., to the Duke of *Newcastle.*

Gibraltar, 21 January 1854.
(Received, 31 January 1854.)

No. 6. Sir R. Gardiner, K.C.B. to the Duke of Newcastle. 21 January 1854.

My Lord Duke, (Answered, 10 February 1854, No. 126, page 63.)

In reference to my letter of the 10th instant (No. 9.), I beg to enclose a copy of the printed notes therein alluded to by me, purporting to be your Grace's observations in reply to the Manchester and Gibraltar deputations, which had the honour of being received by your Grace on the 14th ultimo.

From respect to your Grace, I have hitherto declined reading any observations as coming from your Grace, till I had myself been honoured with some nature of communication on the subject submitted to your Grace by the deputations. But a copy of what is asserted to have passed has been forwarded to me, and I can no longer decline doing so.

I lose no time in submitting the document to your Grace's perusal; and I am sure your Grace will permit me to know whether the observations and reply have been correctly stated.

I have, &c.
(signed) *Robert Gardiner.*

Enclosure in No. 6.

Exchange Room, Gibraltar, 18 January 1854.

At a crowded meeting of the British Inhabitants of Gibraltar, held this day in the Public Room of the Exchange, convened by notice published in the "Gibraltar Chronicle," for the purpose of receiving the Report of the Deputation recently returned from England.

Andrew Cormack, Esq. was called to the Chair.

The Chairman introduced the deputation, who read the minutes of the interview with his Grace the Duke of Newcastle, and the correspondence with the Colonial Office.

The following Resolutions were unanimously adopted.

1. *Resolved*, That the said minutes and correspondence, together with the minutes of this meeting, be printed and circulated.
2. *Resolved*, That the cordial thanks of this meeting be respectfully tendered to John Bright, Esq., M.P., for his constant and able support, and advocacy of the interests of this community.
3. *Resolved*, That the cordial thanks of this meeting be hereby given to Messrs. Carve and Peacock, for the able and satisfactory manner in which they have fulfilled their missio to London.
4. *Resolved*, That the special committee appointed at the public meeting of the 13th October 1853, do continue to act until the receipt of an official reply to the public memorials.

It was further *Resolved*,

That the special committee be empowered to draw up a memorial to the Board of Health, praying the Board to adopt such quarantine regulations as may have the effect of re-opening our free communication with Spain, and that such memorial be submitted for the signature of the inhabitants of Gibraltar.

Resolved also, That should the proposed memorial to the Board of Health prove unsuccessful, that a most humble address to Her Most Gracious Majesty the Queen be prepared for the adoption and signature of all the inhabitants of Gibraltar; that such address should pray for relief from present distress, and that Her Majesty may be graciously pleased to give the necessary instructions to that effect through Her Principal Secretary of State for the Colonies.

(signed) *Andrew Cormack*, Chairman.

Mr. Cormack having vacated the Chair, it was taken by Thomas Drinkwater, Esq., and it was Resolved unanimously, That the best thanks of this meeting be hereby given to A. Cormack, Esq., for his able and satisfactory conduct in the chair this day.

(signed) *Thomas Drinkwater.*

Minutes of the Interview of the Deputation from Gibraltar, with his Grace the Duke of *Newcastle*, at the Colonial Office, Downing-street, 14 December 1853.

The deputation was introduced by John Bright, Esq., M.P., and was accompanied by J. B. Smith, Esq., M.P., Messrs. G. B. Carr, John Ingram Travers, J. Aspinal Turner, President of Manchester Chamber of Commerce, H. Ashworth, Vice-President, Manchester Commercial Association, John Slagg, Director of Manchester Commercial Association, Thomas Mosley, David E. Power, Frederick Jackson, Charles Blake.

Mr. Bright handed to the Duke a copy of the summary of points for decision.

I. *Fiscal Regulations.*

1st. That the revenue laws formerly confined to the city, garrison and territory by the Orders in Council applicable thereto, but recently extended by the arbitrary authority of the Governor to the port, roadstead and anchorage, be restricted to the city, garrison and territory as heretofore.

2d. That the amounts illegally exacted as duties or fines by virtue of the new orders of the Governor, be reimbursed to the parties.

The above points were referred to the law officers of the Crown.

II. *Restrictions on Commerce.*

1st. Mediterranean Passes.—That certificates be granted as directed by the Orders in Council, dated 30 September 1825, and 19 June 1850; and that the Governor be held responsible for damages arising out of his refusal to grant certificates as required by law.

2d. Hulks to be permitted to be licensed as warehouses for spirits, as previously to 1850.

II. Correspondence relative to Memorial.

3d. New orders respecting permits for the removal of wines and spirits afloat to be rescinded.

The above three points referred for decision to the law officers of the Crown.

4th. Circulation and traffic over the neutral ground to be restored; and that any restraint not required by military exigency be removed.

5th. The case of Manuel Ramos Ortigosa to be inquired into; and that the Spanish authorities be moved to procure his liberation from prison.

6th. The case of the seizure of Esterico's boat to be inquired into, with a view to the restoration of the property; and orders to be given to prevent a recurrence of similar outrages.

7th. That the Governor shall not intermeddle with the dealings of the merchants, but shall leave them to buy and sell with unrestricted freedom. In one word, that the freedom of the port be maintained inviolate.

III. *Land Communication with Spain and Quarantine Laws.*

That his Grace be moved to mark his disapproval of the Governor's injudicious proceedings in closing the land communication, and that the Board of Health be recommended to adopt such reasonable quarantine regulations as may keep open the communication with Spain.

IV. *Civil Administrative Government.*

1st. A commission is prayed, with ample powers, to inquire into the state of the public receipts and expenditure of the colony, with a view to its immediate and permanent reduction, by economy, and by the amalgamation of various offices, and to report upon the expediency of appointing a consultative council to assist in preparing all laws and matters connected with the public revenue and expenditure of Gibraltar. Annual accounts of the revenue and expenditure of Gibraltar to be laid before Parliament.

2d. Orders to the Governor not to interfere with the right of meeting, or the publication of notices of the lawful proceedings of the meetings of the inhabitants of Gibraltar, and generally with the liberty of the press.

3d. That instructions be given to the Governor to listen and to reply courteously to any statement made by the organs of the collective interests of the merchants and inhabitants of Gibraltar, especially in cases having reference exclusively to the trade of the place; and that the Exchange Committee acting as the Chamber of Commerce, be so far recognized as similar bodies are recognized in England.

Mr. Bright having recapitulated seriatim all these remaining points in the paper reserved for decision, concluded by a reference to the quarantine regulations. The Duke then addressed the deputation.

His Grace at the outset, in the frankest manner, said that the notices and language of the Governor in the "Gibraltar Chronicle," were such as neither this nor any other Government could countenance. He deemed them to be wholly indefensible. His Grace repeated this in the most unequivocal terms.

After allusion to the territory question and the Mediterranean Pass question, which were referred to the law officers of the Crown, the Duke said, as regards the traffic over the Neutral Ground, he disapproved of the Governor's proceedings. The Duke added Spain, as a country in amity with us, is, however, entitled to some consideration; we have no right to make Gibraltar a greater thorn in her side than it really need be; we have no right to make the Neutral Ground the Duke said (smiling) a den of thieves, but at the same time it is not necessary to go out of our way to act as though an extradition treaty subsisted between the two countries for this class of offenders, and the Governor was not authorized in giving up Ortigosa. The Duke said he had already written to the Governor, to require an explanation upon this case, and also upon the case of Esterico, to which his Grace's attention was next called.

The Duke said, the quarantine question was a wide one, and not yet settled out of doors; he was not prepared to say the Governor had acted wrongly about admitting the troops which arrived by the "Leopard," but the Governor's conduct in closing the land communication was so irrational, that he could not conceive the motives which prompted him to such a step; when he received the news, he wrote to ask whether it was not a mistake. He believed that the real motive for the removal of his cordon was the want of straw.

The quarantine question and the tariff question must be taken up in a more enlarged point of view between the two Governments, and no good could, by any possibility, arise out of the Governor's inconsistent proceedings.

As regards the right of meeting, the Duke spoke in disapproval of the Governor's conduct. He said it was simply a question of common sense, and a great number of these questions would never have been raised if the Governor had acted sensibly. The Duke said, if it fell to his lot to appoint his successor, he would choose a better man, and he believed all complaints would then cease. Mr. Bright said that it was possible to make the last year of office a short one.

The Duke said, the Governor had certainly contrived to place himself in antagonism with all parties; he seemed to possess some infirmity of temper which produced this, and which prevented him from taking advice. He should ask for explanations from the Governor of his conduct in the affair of the notices, the meetings, and the censorship of the press, all of which he disapproved very much; and he added, that he believed all conflict of opinion would have been

been avoided if the Governor had acted judiciously. Perhaps a circular quietly sent round would have been better than the placarded notices, but these were so harmless, that tearing them down showed great want of judgment on the part of the Governor. The Duke said he should urge upon the Governor that it was obviously the duty and interest of the Governor to make himself acquainted with the wants and wishes of the mercantile body.

As regards the revenue and expenditure, the Duke said Sir John Pakington had, a year and a half ago, written for special details upon these points, and it was only three weeks or a month ago that the Governor's report arrived in a very confused state. He, the Duke, had also written to the Governor, desiring him not to fill up certain vacancies in the civil government offices when they occurred. If Mr. Bright, when Parliament met, would move for that despatch it should be produced, and he had no doubt it would give satisfaction.

The Duke said, if the reduction or amalgamation of offices did not effect an equalization of the revenue and expenditure, that he considered the present duty on spirits too low, and if needful, not to take the deputation by surprise hereafter, he frankly said that his inclination was, with a view to meet the expenditure, to increase the duty slightly. As regards the issue of a commission, the Duke said it seemed unnecessary—such a course would be in fact merely sending some sensible man to do that which it was his duty to do directly, and he should not shrink from doing it himself. He was glad to see that what was called free representative institutions were not asked for, and the Duke expatiated upon the necessity of requiring military discipline to be kept up in the fortress. As regarded a consultative council, if the Governor sought and listened to the advice and counsel of the mercantile body, that seemed to be all the inhabitants wanted.

In the course of the observations made on the press, the Duke incidentally remarked, that he did not see any reason whatever why the public should not have a newspaper of their own. It might not, of course, be desirable to discuss exciting political questions in a military garrison, but there could be no reason why a second newspaper should not by published, if properly conducted.

(signed) *William Carver,*
John Peacock,
Deputation from Gibraltar.

CORRESPONDENCE with the Colonial Office.

To His Grace the Duke of *Newcastle*, Her Majesty's Secretary of State for the Colonial Department, &c. &c. &c.

Morley's Hotel, London,
17 December 1853.

May it please your Grace,

THE gracious reception with which you were pleased to favour us at our interview on the 14th instant, and the very patient hearing which we and our friends received on that occasion, might seem to preclude the necessity of a further appeal to your Grace; but anxious as we are to quit England, we have not the courage to return to Gibraltar to face our friends, whilst the vital question of the actual severance of our intercourse with Spain is still in abeyance.

The accounts we have received from Gibraltar, state distinctly that the introduction of all provisions is now stopped by sea as well as by land from Spain, by order of the Spanish authorities.

Under such distressing circumstances, the question which forces itself upon the attention of all parties interested, is simply whether it is more to the advantage of Gibraltar to impose a short quarantine on England, and be in free pratique with Spain, or admit vessels from England and be excluded from Spain.

The people of Gibraltar are at this moment under no little apprehension that the authorities of Barbary, in order to keep in uninterrupted communication with the Peninsula, may also place Gibraltar in quarantine, which step if adopted, would greatly aggravate the distress which already prevails in the colony.

We beg your Grace will take into your consideration, whether an exercise of the authority now vested in your Grace as Secretary of State, by the Order in Council dated 13 June 1830, by adding one or more persons as Commissioners of the Board of Health of Gibraltar, might not conduce to bring this question to some result which would be satisfactory to all parties.

We are fully conscious, that the whole question of quarantine is one most difficult to deal with; but the distressing position of the population of Gibraltar must weigh with your Grace in urging you to take such judicious measures as may re-open the communication with Spain with the least possible delay.

With sentiments of the most profound respect,

We have, &c.
(signed) *William Carver.*
John Peacock.

II. Correspondence relative to Memorial.

Gentlemen, Downing-street, 19 December 1853.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 17th instant, representing the inconveniences arising from the Spanish Government having stopped all intercourse with Gibraltar, in consequence of the measures adopted by the Board of Health at that garrison, and suggesting whether the addition of one or two persons as Commissioners of the Board might not conduce to bring the question to a satisfactory result; and I am to acquaint you in reply, that his Grace sees nothing in the late proceedings of the Board of Health at Gibraltar which would appear to call for an alteration in its composition, and as the Board of Health in this country has reported to Her Majesty's Government that they have every reason to believe that no case of cholera has occurred at Southampton, and that there are not even plausible grounds for regarding that port as infected, the Duke of Newcastle cannot consent to direct the imposition of quarantine upon ships from this country, either by direct instructions to the Governor or by the mode suggested in your letter.

His Grace desires me to add, that Her Majesty's Chargé d'Affaires at Madrid has been instructed to represent to the Spanish Government, that the quarantine regulations adopted towards Gibraltar by the Spanish authorities are quite uncalled for, and cannot but prove mutually injurious.

I have, &c.

Messrs. Carver and Peacock. (signed) *Frederick Peel.*

Sir, London, 20 December 1853.

WE have the honour to acknowledge the receipt of your letter, dated the 19th instant, and beg to express our thanks for the prompt attention which his Grace has paid to our application respecting the proceedings of the Board of Health at Gibraltar.

We bow to the decision which his Grace has taken with respect to the reconstruction of the Board of Health at Gibraltar; at the same time, we should not fulfil our duty to the parties who have sent us to England, if we did not point out to his Grace the Duke of Newcastle through you, that the actual and prospective sufferings of the population of the colony are of such a serious character, as demand some prompt and efficacious remedies, whatever in his Grace's wisdom those remedies should be.

If the present policy be allowed to continue, we fear the sufferings of the population must greatly increase; and it is most difficult to conceive that any impression can be made upon the Spanish Government by the measures of Sir Robert Gardiner, which although apparently liberal towards England, are in effect most hostile towards Spain and Gibraltar.

We have, &c.

Frederick Peel, Esq. (signed) *William Carver.*
&c. &c. &c. *John Peacock.*

5, Laurence Pountney-place, London,
Sir, 28 December 1853.

PREVIOUS to our departure this day on our return to Gibraltar, we take the liberty of handing you the accompanying document which has just reached us. You will perceive that it is a certified copy of the presentment of the grand jurors of the city, garrison and territory of Gibraltar, dated the 13th instant, and it establishes officially the truth of the statement made in our letter to the Duke of Newcastle, dated the 6th instant, namely, that the offenders in the alleged scenes of riot, drunkenness and attempted murder, which the Governor of Gibraltar in his official notice of the 27th July, inserted in the "Gibraltar Chronicle," said, "had so long disgraced the Bay of Gibraltar," were never brought before the ordinary tribunals for trial; and it is difficult to conceive by what means the reports of such transgressions of the law in the Bay ever reached his Excellency.

We venture to place this document upon record, without adding any comment of our own to impair the force of its conclusive reasoning.

We leave England with the fullest reliance that his Grace the Duke of Newcastle has transmitted instructions to the proper quarter with a view to procure relief to the inhabitants of Gibraltar, now suffering so deeply from the interrupted communication with Spain; and in equal confidence we repose in his Grace's wisdom and sense of justice to afford the merchants and inhabitants of Gibraltar, full and speedy redress for the many grievances which have been laid before his Grace, and which have their origin solely in the maladministration of his Excellencey Sir Robert Gardiner.

Requesting that any communication to us from your department may be sent to the care of George B. Carr, Esq., at the above address.

We have, &c.

Frederick Peel, Esq. (signed) *William Carver.*
&c. &c. &c. *John Peacock.*

— No. 7. —

(No. 117.)

COPY of a DESPATCH from the Duke of *Newcastle* to Governor Sir *R. Gardiner*, K.C.B.

II.
Correspondence relative to Memorial.

No. 7.
Duke of Newcastle to Sir R. Gardiner, K.C.B.
15 January 1854.
*No. 142, 3 Nov. 1853,
143, 4 „ „
144, 4 „ „
153, 8 „ „

6 December 1853.
See page 1.

Sir, Downing-street, 15 January 1854.

I HAVE to acknowledge your despatches of the numbers and dates noted in the margin,* informing me that at a public meeting of certain of the inhabitants of Gibraltar, it had been resolved to depute Messrs. Carver and Peacock to proceed to this country for the purpose of laying before me their remonstrances against some recent measures of your Government.

2. I transmit to you a copy of the memorial drawn up by these gentlemen, the contents of which were also set forth at a personal interview which I granted to them, and after attentively considering the whole of their case, I have arrived at the following conclusions, which I shall state in the order in which the heads of the memorial are arranged.

3. First, then, it is alleged, that although the only wine liable to the payment of duty at Gibraltar is such as has been introduced into the garrison or territory, a duty has been levied on wine in the port.

4. The revenue from wine is collected under the Orders in Council of 31st October 1848, and of the 7th March 1851, by the former of which, the consumption of wine which has not paid duty, is prohibited, and by the latter, its sale in small quantities in any but licensed houses, even though duty has been paid. The operation of these two orders is clearly restricted to the garrison and territory, and consequently the legality of the alleged imposition seems to turn upon the definition of the term, garrison or territory, and its latitude of acceptation in respect of the port or anchorage ground, as to which you must have recourse to the legal adviser of your Government. Accordingly, you will submit to the Attorney-general a clear statement of the facts, and desire his opinion upon them.

5. I wish him at the same time to take into consideration the instructions published in the "Gibraltar Chronicle" of the 25th August 1853, for the granting of permits for the removal or transhipment of wine in the Bay, and to report whether these instructions can lawfully be issued under either of the beforementioned Orders in Council, or in virtue of any other authority vested in the Governor.

6. And here, besides the measure itself, I must notice the ground laid for it, namely, the general lawlessness of the Bay, and even the commission of the worst acts of violence, as recorded in the notice of the Government under date of 27th July 1853. As such lawless scenes, if unexplained, would reflect upon the Captain of the Port, whose province it is to afford protection to life and property within the Bay, and who is aided by a constabulary, maintained at no inconsiderable cost, I feel it due to Captain Grey, that I should call upon him to account for their occurrence. Meanwhile I cannot but be struck with the opposite testimony borne to the state of the port by the Grand Jury in their official presentment at the late criminal sessions of the Supreme Court.

7. Messrs. Carver and Peacock complain, secondly, of the steps you have taken to suppress the contraband trade with Spain, with which, however, they are at great pains to disconnect the merchants. On their behalf they repudiate the imputation of being concerned in an unlawful traffic, and consider it no business of theirs to give security for the right use of their commodities by those who purchase of them in open market.

8. This point I am indisposed to contest. I know, indeed, that there are many productions of this country consigned to these gentlemen, on which the duties in Spain are so excessive, as to be in effect prohibitory; and that, unless such goods are to find an entry through the channels of smuggling, they are unsaleable at Gibraltar. But there is no law which forbids their share of the dealings in these articles; and any question of moral duty which may be involved in it, is more for their own consideration than mine. The irregularities commence when they have parted with their goods, and my remarks will apply to their impugning your conduct, because these irregularities meet with no countenance or encouragement from you. They specify the various preventive measures which you have adopted. I do not clearly make out the precise facilities, by

II. Correspondence relative to Memorial.

means of which a door used to be opened to the entry of smuggled goods into Spain on the land side of the garrison; but I cannot concede to the deputation, that British outpost sentinels should be ordered to connive at the evasion of the laws of Spain, or to shield from punishment those who are guilty of their infraction. Taking this view, I dismiss without inquiry the cases of Ortigosa, and of the Spaniard shot by the Carbineers, on which considerable stress is laid in the memorial. Nor shall I interfere with the indisputable right of Spain to establish a custom-house officer on her own side of the Neutral Ground; although I am not so sanguine as you are that this measure, or indeed any measure except that of lowering duties, will prove an effectual remedy against smuggling.

9. As regards your preventive measures by sea, I have submitted the case of Esterico to the consideration of the Secretary of State for Foreign Affairs; and I await a report from the Law Officers of the Crown, before giving you directions respecting your refusal of a certificate to a Gibraltar vessel which was duly registered and owned. In not allowing foreign boats to leave the Bay after dusk, you appear to have put in force a provision of the Order in Council of 6th February 1832; and although I disapprove of needless or vexatious restrictions upon navigation, I will not disallow a regulation, which, if it revives a law long fallen into desuetude, may still be an useful auxiliary to the good order of the Bay.

10. I cannot pass from the subject of the trade between Gibraltar and Spain, without objecting very seriously to the form and substance of your notices respecting it in the "Gibraltar Chronicle." I would particularize those in the "Chronicle" of 8th August, 26th October, and 12th November in last year; and you must allow me to remark, that their issue compromises the dignity and authority of the Queen's Government, and is productive of the most injurious consequences to the public respect with which official announcements ought to be received. And I take this opportunity of adding, that the evasive answers of the local government to the respectful applications of the Exchange Committee, touching the levy of duties on wine in the Bay, were by no means consonant with the approved practice of the servants of the Crown, in readily imparting to interested parties the information which it behoves them to be made aware of.

11. The quarantine resolutions of the Board of Health constitute the third head of the memorial. When it was known that parts of England were infected with cholera, it seems it was thought the disorder might spread into Spain, unless the English trade in her ports, direct and indirect, were placed under quarantine; and the merchants complain that it was not placed on a similar footing in Gibraltar.

12. I cannot allow their complaint to be well founded. With clean bills of health and clean health on board, there were plainly no sanitary grounds for the imposition of quarantine on vessels from this country; and however locally important the trade with Spain may be, there are general interests involved in a free communication between England and Gibraltar of a magnitude which forbids their being sacrificed or even subordinated to its encouragement. I say this from no unconcern at an interruption of the local trade; on the contrary, her Majesty's Minister at Madrid, under instructions from the Earl of Clarendon, conveyed to him at my instigation, has been using his best endeavours to convince the Spanish Government, that, independently of the fact that their system for preventing contagion is founded on a belief which is fast exploding, its application in the present instance is wholly indefensible in regard to the state of the public health, both in England and Gibraltar.

13. Our remonstrances, however, would have carried greater weight if you had not been beforehand with the Spanish Government in closing the intercourse by land, for amongst other bad consequences of that act of your Government, I fear it gave rise to the retaliatory order to the same effect from the government at Madrid—an order, which, notwithstanding the isolation thereby of the garrison from the surrounding district, had not, I rejoice to find, up to the date of your most recent despatches, resulted in any contraction of the means of general subsistence.

14. Lastly, my consent is solicited to a reform of the civil government. Administrative changes of some importance, I have it in contemplation to effect; but with reference to the appointment of a Consultative Council, as projected by the

the merchants, I must reiterate an opinion I have before expressed, that the creation of any political body, with a negative upon the enactment of laws in Gibraltar, would conflict with the military tenure under which that important possession of the Crown must ever be held. I trust, that not the less on this account is legislation therein based as it ought to be, upon an enlightened appreciation of the welfare, and as far as may be, in deference to the wishes of the inhabitants. And when drafts of laws are published, preliminary to their enactment, and individuals or bodies, such as the Exchange Committee, proffer their advice respecting them, such advice ought to be received with respect, and considered with care.

15. As regards the finance accounts, they have not hitherto, I believe, been generally accessible to the public. The late Secretary of State, according to his despatches of the 22d of June 1852, was prepared to give them publicity, provided you did not oppose the concession; and as this intimation has not given rise to any statement of objections on your part, I authorize the annual accounts of revenue and expenditure being printed for general information at the close of each financial year, commencing with the present.

16. It is said that the revenue is at once large, and insufficient, and that there is a want of harmonious proportion between the scale of the civil establishments and the moderate exigencies of the place. In this latter sentiment I concur. I am occupied with the preparation of a prospective scheme of retrenchment, which will bring the expenditure within due bounds, while I am not less engaged in the pursuit of immediate savings, and in proof of the reality of my efforts, I would instance that which has just been effected by the abolition of the office of auditor.

17. My first object, then, is to bring the expenditure within the revenue; if I succeed in this, something at least will be done, and as I do not at the present moment see my way to larger results, it would be unsafe for me to promise that it can be brought so far within the revenue as to leave room for the repeal or reduction of taxes. But if it is felt that the existing revenue presses hard upon property, it does not follow that it does so by reason of its amount. It may be spread in an injudicious manner, or fall within unequal incidence. Relief may be found in its being assessed more impartially, or levied in a less burdensome form, or collected at a diminished cost. Based on no local experience, suggestions from hence on such matters of detail would prove of little value, but it might lead to useful results if you were to assemble the most judicious and experienced officers of your Government, and require them to report to you, in writing, upon the practicability of improving the fiscal system of the fortress in any of the directions to which I have pointed.

In conclusion, I have only to direct that you will cause this despatch to be read to Messrs. Carver and Peacock, as my reply to the matters which they have brought before me.

I have, &c.
(signed) *Newcastle.*

—No. 8.—

(No. 126.)

Copy of a DESPATCH from the Duke of *Newcastle* to Governor Sir *R. Gardiner*, K.C.B.

Sir, Downing-street, 10 February 1854.

I have received your despatch, No. 17, of the 21st ultimo, transmitting a printed document purporting to be minutes of the interview which I held with the deputation from Gibraltar.

In answer to your inquiry, whether the observations and replies in those minutes are correctly stated, I have to remark, that I cannot enter into any examination of unauthorized reports of what passes between myself and gentlemen who seek interviews with me, and that I must refer you to my despatches for the opinions which I have formed on the representations recently made to me by the deputation from Gibraltar.

I have, &c.
(signed) *Newcastle.*

III.

III.
Sir R. Gardiner's Despatch, dated 21 March 1853.

Copy of Despatch, dated 21st March 1853.

(No. 52.)

Sir R. Gardiner, K.C.B. to the Duke of Newcastle. 21 March 1853.

COPY of a DESPATCH from Governor Sir *R. Gardiner*, K.C.B., to the Duke of *Newcastle*.

Gibraltar, 21 March 1853.
(Received, 13 April 1853.)

My Lord Duke,

I HAVE the honour to acknowledge the receipt of your Grace's despatch of the 25th January (No. 14); and in obedience to your Grace's commands, and those intimated to me by Her Majesty's late Secretary of State for the Colonies, I submit the following statement of my motives for preventing public meetings at Gibraltar, and also such observations as I consider called for on the memorial of Mr. Carver (transmitted, as he informed me, to "several Members of Parliament, with a view of bringing the subject before the Legislature," addressed to Her Majesty's Government, suggesting such alterations as he thinks necessary in the civil administration of the Government of Gibraltar.

March 1852. Mr. Carver to Governor. 17 May 1852.

2. I beg leave to state, that nothing but the indispensable avocations and administrative duties of this command and government could have prevented my preparing this report at the moment, but every day and hour has its work here; and it is only now, at the interruption of ordinary and other called for duties, that I address myself to a task of such length and labour. I make this prelude to my report, in respect to the "several" Members of the Legislature, to whom Mr. Carver informs me he has sent his memorial, with copies of his letters to me.

3. The ostensible object of Mr. Carver's memorial (for the inhabitants of Gibraltar had nothing to do with it) appears by the application of some Members of the Legislature to Her Majesty's Government to have been a complaint against the Governor for preventing a public meeting, convened by Mr. Carver by anonymous placards. But the real purpose of the memorial tends to far different views, involving indeed no less an aim than ulterior participation in the government of Gibraltar.

4. It may possibly appear a sufficient reason in the eyes of the Members of the Legislature to whom Mr. Carver has addressed himself, if I assign as my motive for preventing the meeting, the impropriety, not to say madness, of any governor of a fortress like this, containing a large alien population, who would permit people to congregate for any purpose. But at all events the very fact of the attempted meeting, being the first manifestation of political agitation which has ever occurred within the fortress, would alone, I think, justify me in the opinion of those gentlemen for preventing it. I enclose, as relative to, and further explanatory of my motives at the moment, a copy of a letter addressed by me to the Attorney-general on the subject.

Governor to Attorney-general of Gibraltar. 8 March 1852.

5. Before proceeding to remark on the specific aims put forth by Mr. Carver, I must notice his determined and unnecessary departure from the usual and prescribed course of appeal to Her Majesty's Government.

6. As a pretext for departing from the authorized channel of complaint to Her Majesty's Government, and with the studied purpose of giving his latent views the publicity of an appeal to Parliament, Mr. Carver asserts that I "silently dismissed" his application to be informed of my motives for preventing the meeting.

Mr. Carver's letter to Governor, 17 May 1852.

7. This is not correct, on the contrary, two letters written by the colonial secretary to Mr. Carver, assured him that his application would receive the earliest possible attention from the Governor.

Colonial Secretary to Mr. Carver, 28 April 1852. 18 May 1852, Mr. Carver's letter to Governor.

8. The great crime attributed to me by Mr. Carver, that of restricting the public of Gibraltar, "in the use of one of the dearest of their liberties, and the strongest bulwark of their national freedom," is not set forth in Mr. Carver's memorial

III.
Sir R. Gardiner's Despatch, dated 21 March 1853.

memorial to the Secretary of State. Doubtless Mr. Carver had his reasons for keeping out of view, or from the face of his memorial, an imputation against the Governor that would have placed his own conduct in a very questionable, not to say reprehensible light.

9. Mr. Carver committed a grave fault in pertinaceously attempting to assemble the people against the prohibition of the Governor, and in defiance to his repeated prohibitions, to placard his anonymous calls to meet, through the streets. It was in Mr. Carver's power, as he well knows, to complain of any act of the Governor to Her Majesty's Government; but that authorized course for redress would not, certainly, have answered Mr. Carver's views. The nature of his demands make it clear, that his sole object was to make a bold advance towards administrative power; and in appealing to the House of Commons, he doubtless passed, as he thought, the politico-commercial Rubicon of Gibraltar. But he is not, and never can be, nearer his mark than he is at the present moment.

10. I have no intention of reasoning with persons who have neither constitutional right, or reasonable pretention to the power or ends they aim at. But this I may say, that never were complaints or demands, the one so ungrounded, and the other so vain and unattainable, as those embodied in Mr. Carver's memorial to the Secretary of State for the Colonies.

Mr. Carver to Governor, 10 April 1852.

11. From one of Mr. Carver's letters addressed to me, it is evident that he entertains a total misapprehension of his commercial position in this fortress, and encourages notions of political rights which it never has been the intention of any British Government or Parliament to concede to the commercial settlers on the rock. The civil government of this fortress is identical with its military command; and neither can be disputed without danger to its security.

12. To divest such a truism, however, of any possible misinterpretation or fears of arbitrary military power with persons not acquainted with the peculiar character and position of this fortress, I would remark, that Her Majesty's Government have appointed channels of appeal, and that they are ever ready to hear complaint, to redress wrong, and to repress unnecessary rigour. So far the social rights and individual interests of every settler on the rock are constitutionally secured against all chance of arbitrary restriction or injury.

13. Mr. Carver, however, for evident reasons of his own, has appealed against an act of the Governor, from the Supreme Government to the House of Commons, among whom, with the respect, deference and honour, I religiously bear that constitutional tribunal, I believe there are few Members who have read the charter of Gibraltar, or who have asked themselves whether Gibraltar is a fortress, or a commercial colony.

14. I can most truly assure the Members of the Legislature to whom Mr. Carver has addressed himself, that nothing would gratify me more than to be summoned to the Bar of the House of Commons, to account for that act. But, if so honoured, I would beg the sitting might be held with closed doors. My disclosures would not bear publicity; and the House of Commons would not, I am sure, desire of me to unfold what I deem to be the weakness of Gibraltar, or the weak points of Gibraltar, and thus indicate them as points of assault to an enemy.

Mr. Carver's surprise that no communication should have been made by the Governor in reply to a memorial against an Order in Council, approved by Her Majesty's Government two years ago; Mr. Carver's Memorial, March 1852.

15. It is with the greatest reluctance I ever lose a moment of public time on affairs relating to myself. But before proceeding to notice its general purposes, I wish to offer a few remarks on an implied complaint of personal character in the outset of Mr. Carver's memorial.

16. Mr. Carver states, that a memorial was forwarded to the Colonial Secretary of State, signed by 673 persons, against a proposed Order in Council for the amendment of a previous Order passed in 1848, for the prevention of fraud in the wine and spirit trade; and that no reply had been received to this memorial, though the proposed Order in Council, against which it protested, has become law.

17. That memorial, I must first observe, was got up by one of those street agitations, which have unfortunately been of growing frequency since the year 1830, when the fortress of Gibraltar first received the name of a "colony." I beg to refer the "several Members of Parliament" to whom Mr. Carver sent copies of his memorial, and letters to me, "for the purpose of bringing the subject before Parliament," to the register of the Gibraltar Police Office for the cha-

III.
Sir R. Gardiner's Despatch, dated 21 March 1853.

racter and occupation of the individuals who are said to have signed that memorial.

18. The Order in Council complained of was intended by me to form part of the Order passed in 1848, and framed with the view of better securing the revenue against the frauds of smuggling, and to protect the fair trader against the audacious open retail of the smuggler. The "few unimportant omissions" Mr. Carver alludes to, was a light tax inserted in the draft order at the desire of many of the inhabitant, to get rid of the nuisance of dogs. When it was inserted, I was given to understand they wished it to be withdrawn. When it was withdrawn, they wished it to be reinserted. But it will not be wondered at, that the proposed tax remained erased from the projected Order in Council.

March 1852.

19. On reading Mr. Carver's memorial to the Secretary of State, stating that no answer had been communicated to the memorial addressed to Her Majesty's Government in 1850, I immediately referred to the Colonial Secretary, to recall to mind what had actually occurred on the subject.

20. The following is a copy of a memorandum entered in the Colonial Secretary's register of dockets of despatches received and communicated from Her Majesty's Government.

"Despatch 212, 7 March 1851.—Proposed Order in Council communicated to Chairman of Exchange Committee (Mr. Glasgow) by his Excellency the Governor."

21. Now, with so convincing a proof to my own mind, that the Secretary of State's approval of the proposed Order in Council was communicated, as such things always are, to the parties concerned, yet I would not maintain my own impression against any statement of my respected friend Mr. Glasgow, or against any doubt he might entertain on the subject. Accident and other causes may have prevented the communication getting to his hands. But one thing is quite manifest, I could only have been desirous of making known to the Exchange Committee the approval of Her Majesty's Government to a measure which I had myself originated.

22. The Order in Council, however, was assuredly promulgated in the usual channel of official announcement to the public; and I would ask why did not Mr. Carver, if he had a complaint, prefer it at the moment, instead of implying an unfounded imputation against the Governor after a lapse of nearly two years.

23. The official promulgation of the Order in Council sufficiently authenticated its approval by Her Majesty's Government; and Mr. Carver was also well aware that his views in regard to the former Order in Council of 1848, of which it professedly formed part, had been declared by Her Majesty's Government on two former occasions, to be inadmissible. First in a despatch from the Secretary of State, dated 6th November 1848, and made known to the Exchange Committee 6th December 1848; and, secondly, when the decision of Her Majesty's Government was considered definitive in a despatch dated 12 January 1849, and which was communicated to the Exchange Committee, 27 January 1849.

Specific objects of Mr. Carver's Memorial.

24. I will now take under review the specific objects of Mr. Carver's memorial. The grounds of his complaints, and the aim of his demands, for though Mr. Carver "prays" and "supplicates;" yet in his aim at power, he "contends" and "protests" in the tone of demand.

25. Mr. Carver's memorial, pleading for what might be in part admissable in any place but Gibraltar, bears with it a shadow of plausibility that would mislead persons who are not aware of the fatal consequences of conceding the power he aims at; and as his views would remain vested with a seeming validity if they were unnoticed, I shall, for the information and satisfaction of the Members of the House of Commons, to whom he has appealed, expose their errors and unfounded pretentions.

Self-government.

26. In Mr. Carver's memorial, he complains, that at Gibraltar, the inhabitants do not possess the civil rights common to all English colonies.

27. All "colonial possessions under the British Crown," are not fortresses. As for "civil rights," Mr. Carver knows that the inhabitants of Gibraltar possess them as fully, and that they are as sacredly guarded to them at Gibraltar, as such rights are to all Her Majesty's subjects throughout Her Majesty's dominions; but political power, the dream and ardent desire of Mr. Carver, cannot be attained at Gibraltar.

28. It

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28. It has been most justly observed in the House of Commons, by Lord John Russell, that "Popular concessions were not alike applicable to all colonies." And Gibraltar was particularly named by his Lordship, as an instance in which indiscriminate concession was inadmissible.

Mr. Carver's Memorial.

29. Why was this reservation which Mr. Carver is for ever seeking to subvert, maintained for Gibraltar at the time the Imperial Government were dispensing political and colonial emancipation through every part of the British dominions? Why? But for the simple reason, that from the nature of the population and geographical position of the fortress, it would be madness to grant such emancipation.

30. As for Gibraltar ever becoming a colony, no human power can make it such. The hope would be as vain as making one of Her Majesty's ships of war a colony. How is it a colony but in name? What does it produce? What article of food does it grow? What are its manufactures? What can it supply? We are dependant on every nation on earth for what we want; and for our exports. We are so vitiated by smuggling, that we have not even thrift enough to make the shoes and gloves we smuggle into Spain.

The inhabitants of Gibraltar not consulted in its projected Ordinances.

31. Mr. Carver next complains at the inhabitants of Gibraltar not being consulted in the Ordinances projected for its government.

32. For the last 20 years the writers of memorials addressed to the Supreme Government have framed them in the name of the inhabitants of Gibraltar, the inhabitants of Gibraltar being wholly ignorant of the memorial being addressed to Her Majesty's Government, or of its purport. These memorials have also assumed a pretension to political immunities never put forth previous to the year 1830.

33. It is not for me to anticipate what the decision of Her Majesty's Government may be on the various topics of Mr. Carver's memorial. But I may venture to say, that if he does not attain his ends, it will not be that they are unheeded by Her Majesty's Government, but from the simple fact which Mr. Carver cannot or will not see. It is, that while enlightened legislation and social rights will ever continue to advance at Gibraltar under the fostering care of England, yet Gibraltar itself can never change its one sole identity of character or purpose, for which it is retained by England. It can never be anything but a fortress. That is what Mr. Carver will not see. By improvident local concessions of indulgence; by injudicious confidence of its impregnability; by treachery; by overwhelming surprise, Gibraltar might by miracle pass from the dominion of England to that of another country; and its laws of government would thus change with its dominion. But in itself it can never change. Under whatever dominion it might fall, its government must be based on regulations exclusively fitted to maintain its security as a military fortress. There can be no civil power for the purpose of controlling the military governor. There can be no intrusive volunteer admitted into his councils. There can be no street agitation, no anonymous placarding permitted, to interfere with the existing government, or paralyse the military administration of the fortress. The full and sole responsibility of the government must be carefully preserved, both by Her Majesty's Government and the Imperial Parliament. But above all, no commercial agent or trader of Gibraltar, whose personal interests by possibility might give a bias to his views, should ever be permitted to participate either in framing its laws or conducting its government.

Complains of interval of notice and enactment being too short for framing objections to Orders in Council.

34. Mr. Carver next complains that there is not sufficient time allowed for consideration of any proposed Ordinance, between the date of its promulgation in the local official "Gazette," and of its being enacted.

35. The length of period prescribed under the instructions of Her Majesty's Government is a month; and my own experience and the correspondence of my predecessors in government, not only shows that that length of period is ample for the consideration of the most complicated law that can possibly be called for at Gibraltar, but that an extension of it would afford occasions of interruption to the peace and order of the garrison; and accustom its population to the purposes of civil political agitation. No greater length of time can be reasonably desired, or safely conceded.

Complaint asserting that secret legislation has sapped the existence of trade at Gibraltar

36. Mr. Carver complains to the Imperial Government against an asserted system of secret legislation at Gibraltar; that he has had "bitter and painful experience during the administration of past governors, of the difficulty and impossibility of staying the progress of the draft orders from becoming law.

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"That remonstrances to the Colonial Office against the enactments of draft orders, have always been silenced by the unheard but more powerful voice of the executive. That it is not, therefore, surprising that a system of secret legislation should have sapped the existence of trade; which being chiefly one of transit has been much affected by arbitrary and obnoxious enactments and regulations."

37. It is not "secret legislation," but the nature of Mr. Carver's trade, which has sapped its existence.

38. How can secrecy attach to the legislation, of which Mr. Carver himself shows that the draft of each separate law is officially made public for an entire month previous to its being submitted to Her Majesty's Government for approval? There is no secret legislation at Gibraltar. The opinion of the Governor on the laws he proposes, of course is submitted with the draft of the law to Her Majesty's Government. But what motive for secrecy can exist, or what secrecy can possibly be maintained on questions which have been an entire month before the public?

39. There is an open constitutional remedy for all real or imaginary public or private evils at Gibraltar; but assumed evils put forward as a mere means to a particular end, do not come under that class.

40. If a Governor of Gibraltar prevents, not only an unauthorized but a positively forbidden public meeting, like that called together by Mr. Carver, by anonymous placards with the avowed purpose of interfering with the government, and if Mr. Carver should consider the Governor's prevention of the meeting unreasonable or arbitrary, he could either appeal to the Governor himself, or seek redress through him by appeal to the Supreme Government.

41. Had Mr. Carver's object been an appeal against any innovation of social right, he would, I presume, have so acted. And have addressed his memorial to Her Majesty's Government through the usual authorized channel. But as it embraces new and unprecedented views of political power, and participation in the administrative and fiscal government of Gibraltar; he has appealed to the authorities of an untried tribunal. Who, when they come to know the groundless nature of his complaints, and the fatal consequences involved in his demands will, I confidently predict, regard them in their just character, and pronounce them inadmissible.

Complaint at being prevented storing spirits in the Bay.

42. Mr. Carver complains that the privilege of storing spirits on board the floating stores has been taken away by a local, and as he thinks an illegal regulation.

43. Of course every thing is to give way to what Mr. Carver terms the "transit" trade of Gibraltar. The discipline and health of the troops, the peace and order of the civil classes in the garrison, the safety of the fortress itself, all are to be made secondary to smuggling. While in the Bay, the freedom of the port is to be abused and violated by every nature and extent of outrage and licentiousness. Smugglers are to hold their midnight orgies. Theft, assault and murder, are all to be sanctioned and remain unrepressed.

Such is the free port of Gibraltar as it is; and Mr. Carver does not scruple to plead against restriction on such a state of crime and guilt as a grievance.

44. Go to the free ports of Genoa, Marseilles, Trieste, Venice. In all of them there exists a well ordered marine police, maintaining the real freedom of the port, and promoting and securing the ends and advantages of free licit commerce.

45. Not so at Gibraltar. Here bulk is broken, and the most pernicious and deleterious nature of ardent spirits retailed in the Bay, and smuggled into the garrison, to the serious loss to the revenue, and ruin to the fair trader. To withdraw the restrictions Mr. Carver complains of as disadvantageous to the wine and spirit trade of Gibraltar, would have no other effect than to give wider scope to the most scandalous scenes of crime and licentiousness.

Asserted "Decline of Revenue" and of "Increased Taxation."

46. It was necessary that Mr. Carver should assign some ostensible motive for interfering in the government of Gibraltar, and that he should state some tangible justification for his high flight, and desire to take part in its administration; and certainly no plea of greater promise or utility could be assumed by him than that of increasing revenue and diminishing taxation.

47. Mr. Carver professes to have apprehensions from rumours—"vague and uncertain indeed, but sufficiently alarming, that more taxes must be wrung out of this suffering population to keep up the prodigal expenditure of former years."

48. What

48. What does Mr. Carver mean by this? Doubtless to impress on the several Members of the House of Commons, to whom he has appealed, that an imposition of new taxes is in contemplation now, to keep up "prodigal expenditure," as in former years.

49. I will first, in justice to the many distinguished officers who have preceded me in this Government, repudiate altogether the ungrounded imputation of prodigal expenditure; and then place before your Grace, for the information of the Members of the Legislature interested in the subject, facts as they are, in opposition to the misrepresentations made to them by Mr. Carver.

Mr. Carver's Memorial.

50. It is notorious, that, on assuming the government of Gibraltar in 1849, I found a public debt, and that that debt is now less than half of what it was at that time—a fact incompatible with Mr. Carver's asserted "prodigal expenditure."

51. Nor must the Members of the House of Commons be allowed to be led into error, and made by Mr. Carver to believe that the revenue of Gibraltar is declining.

52. I will take and state, as illustrations to them on this subject, the amount of revenue actually collected in the year previous to my assuming the government; it amounted to 28,002 *l.* 18 *s.* 1¾ *d.*; while that collected in the year 1851, the year just previous to Mr. Carver's exposé to "several Members of Parliament," it amounted to 28,388 *l.* The favourable balance is small; but it refutes, unanswerably, Mr. Carver's statement of "declining revenue."

53. Mr. Carver has asserted in his memorial, that "the inhabitants of Gibraltar, seeing their trade every year decay, are naturally most sensitive to rumours which may relate to any increase of their burdens."

"That they behold with the utmost alarm all attempts on the part of the local authorities at legislation, for the purpose of increasing taxation; attempts which are necessarily crude and injurious, because concocted in secret, and in ignorance of their effects on the Gibraltar trade."

54. In all this, I must say that Mr. Carver shows himself but little "wise in his generation."

55. Taxation! What taxation? What attempts at taxation are contemplated by the "Local Government?" On what grounds does Mr. Carver inconsiderately advance so fallacious an assertion to Members of the British Legislature? Who are "we?" Not the inhabitants of Gibraltar, certainly; for they never heard of or dreamt of taxes being imposed on them, and are indeed wholly ignorant of the political views and complaints which Mr. Carver has taken upon himself to put forth in their name. Where is the dreadful fear he mentions to be traced? Is it in the respectful recognition, the kind greeting, the confiding look of regard which I receive from every soul on the rock? Assuredly it cannot either be traced in the reciprocal feeling awakened by these testimonies—which are responded to them earnestly, ardently, and with constant thought for their welfare—I hope, that in making assertions of so serious a nature, Mr. Carver was really unconscious of their utter fallacy. But it is difficult to discern how Mr. Carver can reconcile it to himself, with such total disregard of reflection, to have led any Member of the Legislature to believe that revenue was declining, and that the "Local Government" had created a tax panic among the "suffering population of Gibraltar," in order to "keep up a prodigal expenditure." What will the "several Members of Parliament," to whom he has addressed himself, say, when they learn that the "suffering population" of Gibraltar it applied to, would not know what Mr. Carver means, and that there are no taxes at Gibraltar whatever! There is, indeed, a small duty imposed on the importation of wine and spirits, necessary and indispensable for the maintenance of the health and discipline of the garrison, but it is so low, that any complaint on the subject would be as unreasonable as the motive and necessity of its existence is evident. The inhabitants contribute to a "paving and lighting rate," essential for their health and convenience, but taxes there are none; and if Mr. Carver was to cease the use of wine and spirits, the importation of which may add a trifling fraction to their cost, he literally would not contribute one farthing to the public revenue of Gibraltar.

56. I do not consider it either necessary or expedient to discuss subjects of this public nature with persons who have no responsible public interest in them; nor should I now have adverted to them, but with a view of evincing to the Members of Parliament Mr. Carver has addressed, the reckless (for so I must

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regard it) inconsideration with which he indulges in discussing matters of government on which he is wholly incompetent to form any judgment.

57. I will, however, state a circumstance, that if any person can be influenced by the frantic terror and sensitive fears of taxation professed by Mr. Carver, will at once disabuse them of their erroneous impression.

58. The circumstance is this:—That in an official report to Her Majesty's Government, as far back as October 1850 (Mr. Carver's memorial against taxation is dated in 1852), I demonstrated that "taxation could never, under any circumstances, become a source of revenue at Gibraltar."

59. I hope this will satisfy every person that Mr. Carver's "sufficiently well-grounded rumours" are an illusion; such was my opinion on taxation expressed formally to Her Majesty's Government in connexion with the vital point of revenue, upwards of two years ago; there never, therefore, could have existed an intention on my part to "wring more taxes out of this suffering population to keep up prodigal expenditure.

60. Such are the topics of Mr. Carver's complaints, in which he aims at controlling revenue to which he contributes nothing; and has appealed to Members of the House of Commons on grounds of adopted apprehensions, founded neither in facts or known contemplated intentions.

61. I will now proceed to notice Mr. Carver's demands.

Demands.

62. The demands set forth in Mr. Carver's memorial are more tangible, and are of much higher import than his complaints.

63. Mr. Carver demands in summary and in detail as follows:

1st. A participation in the fiscal and administrative government of Gibraltar.

2d. The appointment of a commission to do away "unproductive and oppressive taxation."

3d. "A consultative council," to exercise a controlling voice over the government expenditure."

And further, that the inhabitants of Gibraltar "may be fairly represented upon such commission."

64. Under these heads Mr. Carver demands a scrutiny of accounts with which he has nothing whatever to do.

An injunction against imposts which never existed, and which, more than two years ago, were denounced by the Governor to the Imperial Government as an impossible source of revenue at Gibraltar.

The appointment of a commission to remove "unproductive taxes," of which there are none, either productive or "unproductive."

To reduce the expenditure of the Local Government, "having due regard to the active and efficient discharge of duties connected with the public service," and thus, as a matter of course, discharging the present public officers, and appointing others less scrupulous about "transit" trade.

And finally, the appointment of a "consultative council;" in other words, a Gibraltar elective franchise and Parliament.

65. I would most reluctantly offer any observations that would affect Mr. Carver personally, but his views in suggesting a reconstruction of the Government, and his aim at taking part in its administration, necessarily give rise to the inquiry how far the candidates for place and power are fitted for offices of such important charge and responsibility; and if called on by Her Majesty's Government to give an opinion on the subject, I avow unreservedly that I should declare they are not fit persons for the administrative power they aspire to.

66. Mr. Carver makes his demands in the name of the inhabitants of Gibraltar.

67. Who are the inhabitants of Gibraltar?

68. A few English merchants, among whom I number friends whom I value and respect; a few English traders, who are either partners or agents of a few capitalists in England, occupied in pursuit of their own personal interests, and enriching themselves in the sale of goods to be smuggled into Spain.

An overgrown alien population vitiated by a smuggling trade, uninstructed, and ignorant in everything but the shifts and subterfuges they live by; increasing in audacity, daring and defiance of the orders and regulations of the garrison.

And, finally, a numerous monthly floating population of from 14,000 to 15,000 aliens, who require constant watching and the most vigilant control.

69. Such

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69. Such are the inhabitants of Gibraltar, and from such classes, such natures, and from persons of such habits and such pursuits, Mr. Carver proposes to erect a "consultative council," to reconstruct and participate in the administration of its government.

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70. In Mr. Carver's demand to take part in the Government of Gibraltar, I do not suppose he contemplated putting himself at the head of the troops, or to direct the defence of its walls. It was more probable with the simple view of acquiring "political represention," dispensing what he conceives must be the patronage of power, and more extensively adapting the fortress regulations to the peculiarities of a "transit" trade.

Government of Gibraltar.

71. I do not suppose Mr. Carver is aware of the importance of the demands he has made. It is, however, incumbent on me to point out, and to keep before the view of Her Majesty's Government and the Imperial Parliament, that his proposed reconstruction of the Government would virtually divest the Military Governor of all independent judgment and responsibility, and to consign the government to the control of individuals solely interested in its illicit trade, known to be an increasing source of danger to the security of the place.

72. If it was desired to render this fortress of comparative secondary value to England to a trading port, Mr. Carver could not have suggested any means more certain of attaining his purpose that those embodied in his memorial; but Gibraltar is held by England for other purposes. Nor do I think Her Majesty's Government, or the Members of the Imperial Legislature to whom he has referred his suggestions, are prepared to sacrifice her first military position for such purposes.

73. These purposes demand a few serious reflections, which I beg respectfully to submit to the several Members of the House of Commons, to whom Mr. Carver has addressed himself.

Trade of Gibraltar.

74. The trade of Gibraltar, as Mr. Carver states, is falling off, but not from the causes he assigns.

75. When I assumed the government in 1849, the first subject brought under my notice by the merchants of Gibraltar was its declining trade.

76. I pointed out to them at the time unreservedly, that, on the principle of reaping as we sow, it would continue to fall off till smuggling was supplanted by a licit trade. It is licit trade only that can permanently thrive, or benefit a nation's commerce; smuggling is but a furtive monopoly of trade, for the chance advantage of individuals.

77. I will here take a short review of the Gibraltar trade.

78. Our staple commodities are Manchester cottons, American tobacco and spirits.

79. Of the first we still sell a considerable quantity; the greater part of which is "run" into Spain over the frontiers of Portugal.

80. Our smuggling in American tobacco benefits us in no national point of view whatever. On the contrary, we irritate and incur the resentment of the Government of Spain, by causing a grievous loss and injury to the national revenue.

81. The spirit trade is necessarily somewhat restricted for the reasons I have pointed out, but it forms an essential part of our "transit trade."

82. I think that the Members of the Legislature to whom Mr. Carver has appealed for political power to control the Government, would pause, and give a few moments reflection to weigh the aim and pretensions of the memorialist with the moral turpitude of his views, before they sanction a greater license to such a trade as this. I would respectfully ask them, has Mr. Carver ever yet drawn their attention to the demoralizing influences of the Gibraltar smuggling trade? Has he ever pointed out to any Member of the Legislature that the people of Gibraltar are really a "suffering population" from the vice and depravity in which the trade involves them? Has he ever placed before them the "in-smuggling" and the "out-smuggling" of the place? I will do so.

83. The "out-smuggling" partakes most of the character of daring crime. The parties concerned having embarked their cottons and tobacco, put to sea in the spirit of habituated buccaneers, resolute, and prepared for all chances of contest or murder.

84. The "in-smuggling" has more the character of vice and practised cunning, than of crime. First, there is the "artful dodge," to "do" the police in passing the wine or spirits into the garrison; then its successful concealment or seizure; then arrest of the parties and charge before the magistrate for infringement of

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the garrison regulations. Then fearful lying and perjury, and all the shifts of hardened incorrigible vice. Sometimes acquittal ensues from unscrupulous advocacy. More frequently imprisonment or fine: the latter thing always immediately and secretly paid by the actual owner of the wine or spirits, to prevent his being exposed by his employé in the fraud.

85. Such is the trade of Gibraltar, which Mr. Carver has memorialised "several Members" of the Imperial Legislature to render independent of military responsibility, and to adapt the government of the fortress.

86. As Governor of this fortress, I respectfully appeal to your Grace, to Her Majesty's Government, and the Members of the House of Commons to whom Mr. Carver has addressed himself, to reject both his complaints and demands, on two grounds: First, as they would compromise the security of the fortress; and, Secondly, as they tend to promote an individual monopoly of a trade, ruinous to national commerce. I feel also a duty imposed on me beyond these considerations; as Governor of this fortress, I appeal to them as legislators, to weigh in their mind the awful responsibility of permitting so many thousand souls of a dependancy of the British Crown, to remain in a state of vice and crime that unfits them to live on earth, and renders them reckless to the hopes of Heaven.

Question—What is Gibraltar to England? A fortress or a commercial colony? Consideration of the "right of self-government," at Gibraltar.

House of Commons, 23 December 1852.

87. There is a question arising out of Mr. Carver's memorial, still to be considered; it is "What is Gibraltar to England? a fortress, or a commercial colony?" and this question leads to a consideration of the claims put forth by Mr. Carver, of the "right of self-government at Gibraltar."

88. In connexion with this consideration, the conduct of the Governor of Gibraltar has been adverted to by an honourable Member of the Imperial Parliament, with a view to learn from Her Majesty's Government his motives for preventing a public meeting of the inhabitants "for the purpose of expressing their opinion with regard to certain grievances, of which they complain."

89. I can have no difficulty in answering such a question; I presume it will be sufficient answer if I direct attention to the known authorized channel, by which the inhabitants of Gibraltar have access to Her Majesty's Government, in all cases seeking redress of grievances.

90. But if I am called on to justify my act, I would submit my reply in the form of another question; "In what clause of the charter of Gibraltar is it provided that the inhabitants of the fortress have the right of assembling themselves together for the purpose of effecting changes in the Government?"

91. Mr. Carver, however, took on himself to do so, or rather to make the attempt; which, for reasons I am quite prepared to state, if called on by Her Majesty's Government and the Imperial Parliament, I prevented.

92. Mr. Carver's memorial, which for evident reasons makes no allusion to this interruption of his meeting, is framed in the name of the merchants and landowners, and public of Gibraltar.

93. How many "merchants" are there in the community of Gibraltar? Who are the "landowners?" Nay; where is the land?

94. Mr. Carver, in his memorial, familiarly terms the "public" of Gibraltar his "constituents." How does he possess the right to do so? Who are his "constituents?" Can he ever have read the charter? Where are they named? In what recorded investment by the Supreme Government, by what enactment of the Imperial Parliament, or by what provisions of the local charter, are the public of Gibraltar made Mr. Carver's "constituents."

95. In the outset of his memorial, Mr. Carver states that "the right of self-government has been cheerfully granted by the Imperial Parliament in almost every colonial possession of the British Crown."

96. It might have occurred to Mr. Carver that there is a difference between chartered and Crown colonies; that in one, the right of self-government is almost without exception admitted; that in the other (and in a fortress of this peculiar position especially), must ever remain an emancipation to be conceded only at the discretion of the Supreme Government.

97. In a former part of this report, I have stated to your Grace "who" are the inhabitants of Gibraltar; in looking on them as an assumed constituency by Mr. Carver, to be used by him in influencing and controlling this British fortress, it may not be useless to class them, and more closely consider their fitness for the exercise of political enfranchisement.

98. In the numbers forming the civil population of Gibraltar, there are 11,187 native aliens, 240 Barbary Jews, 782 Genoese, 53 French, 27 Germans, 90 Italians,

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Italians, 525 Portuguese, 1,892 Spaniards, and others, Brazilians, Danes, Greeks, Ionians, Moors, Maltese, South-Americans, Swedes, Turks, and United States, which swell the numbers to 15,823; of which number 995 only are actually British subjects.

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99. These numbers form a population of traders and smugglers, who have no interest in the grant of elective franchise; who are ignorant of all that Mr. Carver has demanded in their name; and who indeed are without capacity to understand the nature of the privileges he has taken on himself to ask for them; they may certainly be awakened to political agitation; but it had better be let alone in this fortress; at present they are content as long as they are unmolested in smuggling and cigar-making.

100. I will now consider Mr. Carver's claim to the right of political self-government at Gibraltar, or in other words, the conditions on which the trading settlers at Gibraltar came here.

101. The trading settlers at Gibraltar came here not legislatively induced as emigrants, but for their own purposes and ends of trade.

102. They came also perfectly aware and cognizant of all the restriction which Mr. Carver now puts forward as grievances. These restrictions are the regulations of all fortress towns; they are known and common to the fortress towns of all nations, but are indispensably observed here, Gibraltar being a British fortress in Spain.

103. The trading settlers of Gibraltar came here on sufferance; they remain here on sufferance, and if they were all to leave the rock to-morrow, Gibraltar would lose nothing of its importance to England, or be less a fortress or military position to England than it is at this moment. There are therefore no grounds on which they can, with any shadow of right or claim, demand elective franchise.

104. But Mr. Carver presumes on the right of political self-government, Gibraltar having been made a colony.

105. The safety of the fortress and the interests of its traders are assuredly not incompatible, and the latter will never be lost sight of either by the Local or Imperial Government; both objects may be provided for, but the person must be insensate, and infatuated indeed, who for any purposes of his own would make the security of the "fortress" subservient to the interests of the "colony."

106. Whoever therefore agitates for political rights at Gibraltar, must "beat the air in vain." Neither the Supreme Government or Parliament of England would, I presume, permit the alien population of this fortress to be initiated in discontent and political agitation; on the contrary, if presuming on colonial privileges, attempts were made to render Gibraltar an arena for political discussion, and its population assembled at the bidding of any individual against the prohibition of the Governor, I should say that the abrogation of its colonial name and pretensions would be decreed at once by the Government and the Imperial Parliament of England; and Gibraltar resume its only real character, a fortress. To imagine means to an end, I would seriously entreat Her Majesty's Government, and the "several Members of the Legislature," to whom Mr. Carver has appealed, to picture to themselves a free press, political agitation, unrestricted smuggling, all in the ascendant and let loose on a border fortress, under the control of the Hampdens and Chathams of Gibraltar? What would become of the fortress.

Summary.

Mr. Carver to Governor, 10 April 1852.

107. I believe I have now gone through all the various topics of Mr. Carver's complaints and demands, with the exception of some observations made by him of personal nature, about which it is not my intention to consume more of your Grace's or of the public time.

108. Neither shall I contest Mr. Carver's opinions concerning my public income; it is a matter of indifference to me; I came not to Gibraltar to realize fortune, but to labour in the public good; I must say, though, that I regard the subject as one exclusively for the consideration of Her Majesty's Government, and not that of the inhabitants of Gibraltar, who in no way contribute to it; whatever the amount may be, it will be held in trust by me, for the purposes by which I consider I can best do honour to the name of the Sovereign, to the character of England, and the purposes contemplated by Her Majesty's Government.

109. I need scarcely observe to your Grace, that though I suppose no Governor of Gibraltar can ever permit the assembly of unsanctioned public

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meetings, yet that I shall at all times be ready to submit any subject of complaint against the measures of my government to the Government of Her Majesty, whether individually or collectively preferred.

110. There are also some subjects apart from those contemplated by Mr. Carver, in which the Governor and public of Gibraltar have a close and common interest, and which I will beg your Grace's permission to mention here.

111. I will name first, a necessary strict observance and respect of national territory; and secondly, an adherence to the binding obligations of national treaties. Want of consideration and attention to these points has, I know, on many occasions, marred the interests of Gibraltar.

112. I would also impress on the minds of all persons interested in the commerce of Gibraltar, that the Spaniards are not a people to be coerced into our views, or driven hastily to abandon their own.

113. The concluding observations of this report I will devote to the trade of Gibraltar.

114. I have had many difficulties to contend with on this point; some I have overcome.

115. I think myself fortunate in having in any degree drawn and impressed on the attention of the Governments of Spain and England, the national commercial evils incurred, and national commercial benefits impeded by the smuggling trade of Gibraltar; I believe I may venture to say, I have "scotched the snake," if I have not killed it.

116. Great boons have been conceded by the Spanish Government; others still remain to be laboured for.

117. The last boon recently conceeded "the flag," is unquestionably a local and national benefit, but I regard it but as the keystone of the arch on which I hope to raise the trade of Gibraltar.

118. In general, trade flourishes in peace; that of Gibraltar has hitherto been only prosperous in war; and that not a war of just enterprize or defence, but the sordid strife of selfish gain. Many and vast fortunes have been made during the periods of war, but in peace the trade of Gibraltar declines and dies.

Case of Appeal to Judicial Committee of Privy Council, Tuesday, 20 July 1852.

119. What is worse than its decline, the trade of Gibraltar has become a bye-word and a reproach to England. It has even been made the mitigating plea of convicted guilt in the highest court of English law. It is mockery to say it is imposed on us by the prejudices and unenlightened commercial policy of another nation; we should get rid of it ourselves; to that end I have laboured since I have held this government; to that end I shall perseveringly devote the remaining period of its important charge. It is a laborious effort, as I have found, but the results are of national, no less than of local benefit, and must be attained. I see my way, and with the encouragement and support of the governments of England and of Spain, I shall ultimately, if not in my term of government, possibly in that of my successor, see the attainment of a trade at Gibraltar, as prosperous and extensive as it can be made honourable and free.

I have, &c.
(signed) *Robert Gardiner.*

Enclosure.

My dear Mr. Costello, The Convent, 8 March 1852.

You have, I know, heard from Mr. Adderley about the intended public meeting, to interfere with Government affairs here.

2. Such a meeting is an affair of order in this fortress, for which I hold myself wholly and solely responsible.

3. Such meetings would compromise the security of the fortress.

4. I have therefore asked no person's council, as to the course I have resolved to pursue. The consequences of such meetings would affect me only in their prejudicial bearing, and it would be needless to implicate others in my responsibility.

5. I have taken measures to check, and if necessary, to prevent the meeting.

6. I have also written to Mr. Glasgow, to beg he will remind the respectable and intelligent part of the community, that I am at all times ready to submit any cause of public or private grievances to Her Majesty's Secretary of State for the Colonies, whether in individual form or collectively signed, but that I will never permit congregated meetings in any form, to assemble in this garrison.

Most faithfully yours,
(signed) *Robert Gardiner.*

M. Costello, Esq., Attorney-General.

IV.

Copy of Despatch, dated 15th October 1853.

(No. 124.)

COPY of a DESPATCH from Governor Sir *R. Gardiner*, K.C.B., to the Duke of *Newcastle*.

Sir R. Gardiner's Despatch, dated 15 October 1853.

Gibraltar, 15 October 1853.
(Received, 24 October 1853.)

My Lord Duke,

I HAVE the honour to forward, for your Grace's information, copies of letters which have passed between the Governor of Cadiz and myself; together with copy of the minute made by the Board of Health, on my communicating to them the purport of his Excellency's letter of the 9th instant.

2. I have forwarded these letters thus early, in order that your Grace may in some degree be prepared for the extreme measure I expect on the part of Spain; that is, that unless I adopt the term of 15 days' quarantine of observation, we shall be cut off from Spain; and I can scarcely suppose, that, without a shadow of reason on sanitary grounds, the Board of Health would accede to the adoption of measures perfectly ruinous to our licit trade.

3. The passage from Southampton is now oftener made in five than a higher number of days; therefore, completing it in five, there would remain a quarantine to perform of 10 days at the least at Gibraltar.

4. This would be our ruin. The port would become clear, and remain empty. Vessels could not be found that would either seek, nor could they obtain consignments to Gibraltar.

5. I have discussed this subject formerly at length; and both my previous and subsequent experience to the Report then made to Her Majesty's Government have confirmed me in the conviction that our best and wisest course, whether on sanitary considerations or purposes of free trade, would be to let the Spaniards place us in quarantine. It would cause a temporary privation; but it would make Gibraltar England—which it has never been. It would, in less than six months, render this fortress what it ought to be—perfectly independent of Spain; and further, knowing the Spaniards as I do, I verily believe it would be a measure, confirming national and local independence, that would, more than any other, influence and hasten their adoption of reasonable principles of commerce.

Report on Gibraltar, 11 October 1850.

I have, &c.
(signed) *Robert Gardiner.*

Enclosure No. 1.

Translation.

My dear Sir, and respected General, Cadiz, 9 October 1853.

Encl. No. 1.

1. AWARE of the honourable appreciation you have shown towards the correspondence of my predecessors on all subjects connected with Gibraltar, emboldens me to address your Excellency, feeling assured you will in this instance do the same.

2. Yesterday the packet "Iberia" arrived in this port from Gibraltar, which vessel continued her voyage to Lisbon under quarantine, because the existing laws of Spain do not allow of such vessels being admitted to pratique, without first having been expurgated in a foul lazaretto, being considered as arrivals from ports where the cholera morbus exists.

3. The notice published in the "Gibraltar Chronicle," in consequence of an official communication from Her Britannic Majesty's Consul in Cadiz, inspired me with the confidence that the Spanish sanitary system would be followed in Gibraltar with regard to arrivals from England, with the view of warding off greater evils from the commerce of the two nations; but the admission to pratique of the "Iberia" in Gibraltar after two days observation, has shown me that certain differences exist in the method of carrying out that system.

4. The port of "Southampton," from whence the packet comes, is foul, because it is infected with cholera; consequently, according to the Spanish laws, the "Iberia" was inadmissible, not having first performed quarantine at a lazaretto.

5. Even suppose that Southampton was only considered as suspected, arrivals from thence should perform three days quarantine of observation, the voyage not having been more than 12 days, and if less than 12 days, to be in quarantine till 15 days are completed from the date of starting.

6. According to the Spanish laws, the "Iberia" ought not to have been admitted to pratique; and even supposing Southampton as only suspected, she ought to have been subjected to a quarantine that would have completed 15 days from the day of sailing.

IV.
Sir R. Gardiner's Despatch, dated 15 October 1853.

7. Being convinced that your Excellency is anxious to be made acquainted with sanitary laws which govern this port, so as to harmonise them with those in force at Gibraltar, I address you this letter with the view of protecting the existing commerce and intercourse between the two ports from the evils which the closing the communication would cause. Hoping your Excellency will, from the motives set forth, place all arrivals from England under the same sanitary rules as observed in Cadiz.

I remain, &c.
(signed) *Manuel Cano.*

His Excellency Sir R. W. Gardiner,
&c. &c. &c.

Enclosure No. 2.

Encl. No. 2.

Most excellent and dear Sir, Gibraltar, 13 October 1853.

I HAVE had the honour of receiving your Excellency's letter of the 9th instant, and hasten to assure your Excellency of the sincere pleasure it will afford me to receive from you, and most cordially meet that kindness with which your Excellency has so frankly opened that interchange of friendly kindness, with which I have been honoured by so many individuals of a nation I have so long known and been attached to.

2. I immediately, on receiving your Excellency's letter, assembled a Board of Health to deliberate on the necessity or not of prolonging our quarantine of observation, in consequence of the vague unofficial reports received from Lisbon.

3. The Board maturely weighed the assumed evidence of the presumption that cholera morbus existed at Southampton, and the reality of fact that it does not exist there, together with the fact that it is not, nor ever has been, supposed to exist there; vessels from Southampton have arrived here subsequent to the arrival of the "Iberia," and prove this incontestably.

4. The Board of Health, therefore, could not on such evidence of the non-existence of cholera at Southampton, prolong the term of observation at present in existence.

5. It is, as your Excellency will easily suppose, the earnest desire of this Board to assimilate all our measures of quarantine as much as possible to those of the ports of Spain. If we were not possessed with the sincere desire of acting at all times with Spain, both reason and self-interest alike demonstrate that we should do so; but to speak candidly as I think, and firmly believe, I should deceive your Excellency if I was to lead you to suppose I could in duty, for one, urge a protracted quarantine of observation perfectly ruinous to the licit commerce of Gibraltar, without a shadow of well-founded cause for my doing so.

6. Beyond the commercial ruin of the place, I should deeply grieve at seeing Gibraltar cut off from Spain, as nothing that I am aware of would so effectually frustrate the efforts I have never ceased to make to suppress the shameful and vitiating traffic of smuggling in this Bay, alike the ruin and disgrace of all concerned in it.

7. The separation of Gibraltar from Spain would also throw into distress and ruin the poor labouring classes of Spain, who now gain a livelihood by supplying the markets of this garrison.

8. This community would be put to inconvenience for some short time, and I should have to draw my supplies from other sources, but the supplies once cut off from Spain, I could not return to a source that I could ever again regard as certain, or to be depended on, having arranged and secured markets that would not fail me; for instance, France, Sardinia, Italy, Morocco, Portugal, and chiefly (from the acquired facility of our steam communication), from England.

I have, &c.
(signed) *Robert Gardiner.*

His Excellency Señor Don Manual Cano,
Governor, &c. &c. &c. Cadiz.

P. S.—I enclose for your Excellency's information a copy of the proceedings at a meeting of the Board of Health, held this day.—*R. G.*

Enclosure No. 3.

Encl. No. 3.

MINUTE.

Gibraltar, 13 October 1853.

AT a meeting of the Board of Health this day.—Present, his Excellency the Governor, G. Adderley, Esq., Colonial Secretary; Captain Honourable G. Grey, R. N., Captain of the Port; S. H. Paget, Esq., Police Magistrate; Dr. W. Hackett, M. D., Inspector of Health; Mr. Mitchell, Secretary to the Board.

THE Board of Health met in consequence of the receipt of a letter from the Governor of Cadiz addressed to his Excellency Lieutenant-general Sir R. Gardiner, relative to the steam-packet "Iberia" having been refused admittance there, in consequence of the port of Southampton having been reported foul; the Board decided there was no foundation for this report, the "Iberia" having brought a clean bill of health from Southampton confirmatory of the port not being even suspected, and later intelligence has been received that good health is still enjoyed there, the Board do not think it necessary to alter the present quarantine.

(signed) *Robert Gardiner*, Governor.
G. Adderley. *S. H. Paget.*
G. Grey. *W. Hackett.*

Certified,
(signed) *W. Mitchell*, Secretary to the Board.

V.

RETURN to an Address of the Honourable The House of Commons, dated 20 February 1854;—*for*,

"COPY or EXTRACTS of a DESPATCH of the Governor of *Gibraltar* to the Secretary of State for the Colonies, dated 18 June 1853."

EXTRACT of a REPORT in reply to a MINUTE taken under the Instructions of the Lords Commissioners of the Treasury (20 May 1851), on the "PUBLIC DEBT, REVENUE and EXPENDITURE" of Gibraltar, addressed to the Right Honourable his Grace the Duke of *Newcastle*, by Lieutenant General Sir *Robert Gardiner*, Governor of Gibraltar, 18 June 1853.

Governor Sir R. Gardiner's Report on Gibraltar. 18 June 1853.

"My business in this State,
"Made me a looker-on here—
"Where I have seen corruption boil and bubble,
"Till it o'er-run the stew: Laws for all faults,
"But faults so countenanced that the strong Statutes
"Stand like the Forfeits in a Barber's Shop."

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V.
overnor Sir R.
ardiner's Report
Gibraltar.
18 June 1853.

I.—*Introduction.*

My Lord Duke, Gibraltar, 18 June 1853.

I HAVE been honoured with the commands of Her Majesty's Government to consider the possibility of reducing the expenditure and increasing the revenue of Gibraltar, and with instructions to "furnish a detailed report on the measures I would recommend for equalising the revenue and expenditure of the garrison."

27 March 1852.

These commands originated in a Minute taken under the instructions of the Lords Commissioners of Her Majesty's Treasury on portions of a Report made by me to Her Majesty's Government on the Defences, Government and Trade of Gibraltar. A copy of their Lordship's minute was forwarded to me with the instructions to frame a second Report. The reply to which, with the result of my laborious research, I have the honour to submit to your Grace in the following Report.

* 20 May 1851.

11 October 1850.

* 7 June 1851.

It appears by their Lordship's Minute, that the Lords of the Treasury had only been furnished with such portions of my Report as relate to the financial condition of Gibraltar.

I may express my regret at this, for I am persuaded, if the Lords of the Treasury had read the Report in *extenso*, their Lordship's would have found information and answers to every question embodied in their minute.

The Report of 1850, was framed so as to place before the Supreme Government the government of Gibraltar in all its branches and departments in relation to each other; so that their working might show their beneficial or evil influences. It would be unavailing for any purpose of business, or to obtain a correct idea of this Government, to take any particular head of the Report of 1850, and discuss it abstractedly as a financial minute, without any reference to the other branches of the government.

Beyond the hope of seeing the correction of existing evils, I had the view of rendering that Report a code of reference by which many questions of public service could be decided by the Supreme Government, so as to diminish the mass of correspondence, which, in its colonial form, oppresses this government, and often too heavily fetters the Governor of the fortress in his military duties.

Before proceeding to state to your Grace the result of my second investigation, and proposing the measures by which I consider "the garrison may be again enabled to supply the wants of its own government." I will ask permission, first to reply to the minute of the Lords of the Treasury; and in this I am impelled as much by duty to their Lordships, and anxiety that they may clearly understand the real sources of financial embarrassment of this government, as I am, by a consciousness of the justness of my reclamation of the sums diverted from the local revenue which have caused it. The justness and propriety of this reclamation I shall prove beyond all doubt.

II.—*Treasury Minute on the Debt of Gibraltar.*

IN their Minute adverting to the existing debt of Gibraltar, the Lords of the Treasury infer, that on the questions I have raised on that subject, I "appear to labour under considerable misappension of the real state of the case." But the instances of misapprehension are not pointed out; nor do I see how such inference can possibly be maintained.

There can certainly be no possibility of misapprehension in the simple fact known to every body, that "Until the termination of the reign of George 4, the surplus of the revenue of Gibraltar formed part of the casual hereditary revenue of the Crown, and was applied to the purposes of the Civil List; the usual course having then been to pay over the amount, from time to time, to the Privy purse."

Nor, that "On the accession of his Majesty King William 4, it was signified to Parliament, that his Majesty surrendered to the nation, for his life, the whole of the hereditary revenues derived from this and other sources, and by the Civil List Act, William 4, c. 25, the produce of these revenues was directed to be carried to, and form part of the Consolidated Fund."

Neither is it a subject of less public notoriety, that "The Civil List Act passed

* The Documents here referred to, are printed as an Appendix to the present Paper.

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passed on the accession of Her present Majesty (1 Vict. c. 2), contains similar directions."

There cannot possibly exist grounds of misapprehension on facts so universally known.

The minute next adverts to my claim of 4,193*l.* 17*s.* 2*d.*, being a sum not accounted for, or accredited by the Lords of the Treasury to the local revenue of Gibraltar.

A sum of 4,193*l.* 17*s.* 2*d.* due to the local revenue of Gibraltar.

" The first sum claimed by the Governor due to Gibraltar, is 4,193*l.* 17*s.* 2*d.*, the amount stated to Parliament in 1830, as then remaining in the hands of the Receiver-general of Gibraltar, arising from remittances to him on account of the surplus of former years ; and under the Act of William 4, before mentioned, any surplus that might remain after payment of the charges thereon, was payable to the Consolidated Fund. This sum of 4,193*l.* 17*s.* 2*d.* was, however, in point of fact, applied to liquidate certain charges on the revenues of Gibraltar at that time payable in this country."

Such a statement " in 1830," ought not to have been made to Parliament.

It is clear that this sum which was transmitted to the Receiver-general, for purposes chargeable to the revenue of Gibraltar, should neither have been appropriated to the Civil List or the Consolidated Fund. No Act of Parliament was ever yet applied in a retrospective sense, and it is certain that this sum has neither been credited to the local revenue or accounted for to the local Government of Gibraltar.

The minute next adverts to a sum of 6,000 *l.* claimed by me as alienated from the local revenue, and by the provisions of the Civil List Acts of William 4, and 1 Victoria, appropriated to the purposes of the Imperial revenue.

A sum of 6,000*l.* due by the Treasury to the local revenue of Gibraltar.

If this sum was actually paid over by the Governor to the Imperial Exchequer as surplus revenue, there can be no doubt but that it would fall under the provision of those Acts, and be fairly interpreted to be part of the hereditary revenues surrendered by His Majesty William 4, and Her present Majesty, but such I am prepared to prove was not the case.

In regard to the language in my report being " altogether inconsistent " with that of the late Governor of Gibraltar, I would in this instance, not only from respect to that officer, but on all occasions, decline subjecting my motives to any contracted analysis or scrutiny with those of departed testimony.

11 October 1850.

I will here state the questions on which are grounded the inferences set forth in the Treasury minute, and then contrast those inferences with the meaning of the late Governor, as worded in his own official record.

" I think it may be satisfactory to your Lordship to know the state of our finances to the last day of December 1844. The balance being 6,699 *l.*, I have directed the collector to pay over the sum of 3,000 *l.* to the military chest, leaving a balance in hand of 3,699 *l.* to meet the charge of salaries and other current expenses."

Governor of Gibraltar to Her Majesty's Secretary of State for the Colonies, 1845.

What indication of intended final surrender of this 3,000 *l.* as surplus revenue can be affirmed from these words? By vast latitude of interpretation they might perhaps be so defined, if the late Governor had never made a protest to the contrary ; but the quotation is not in itself sufficiently explicit to indicate any purpose of casting off, as irreclaimable, so large a sum from the limited revenue of this garrison.

The second quotation runs thus :

" In the two preceding years there have been heavy charges on the revenue for the reform of the civil prison, &c., all of which are now paid for, except about 340 *l.* outstanding on the Cathedral Estimates." In this quotation there is an acknowledged public debt ; the Governor must have been aware, therefore, that there could not have been any " surplus revenue."

The third quotation runs thus :

" No other outlay for public works, chargeable on the colonial revenue, is at this moment required. Your Lordship has granted every necessary alteration and improvement that have been solicited, with the exception of the clock on the Moorish Tower."

I could reason on this quotation, but the voice is gone that would defend the views I should dispute, I have therefore only to deal with the inference implied in the minute, and in support of my own views, and in justice to the public interests confided to my keeping, state generally, that on assuming this Government I found an insolvent revenue, and a public debt of 7,009 *l.* 13*s.* 5½*d.*

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Governor Sir R. Gardiner's Report on Gibraltar.
18 June 1853.

In justice to his known penetration, it can scarcely be supposed that the late Governor, versed as he was in the floating character of the financial resources of this garrison, could have regarded any casual overplus of annual revenue as an indication of permanent improved income; but it would be to attribute to him an act of madness to suppose he could have intentionally irretrievably surrendered so vast a sum, to the certain ruin of the revenue, and in the face of the regulations of the service.

Extract from Colonial Regulations on the appropriation of surplus revenue in the Colonies.

By the Colonial Regulations, published as amended by the Colonial Office on the 1st October 1843, are to be found (chap. 9) full and clear instructions for the safe custody of public monies in colonies not possessing representative Assemblies, and by the report of the past and present state of Her Majesty's colonial possessions, published in 1846, it appears that the surplus revenue in all such colonies is placed at the disposition of the Governor and Council for the service of each.

The Treasury minute imposing so heavy, and, as it has turned out, so ruinous a tribute on the revenue of Gibraltar in favour of the Imperial Exchequer, was decidedly a provisional measure, passed 1st July 1831, but which was plainly recalled by the 9th chapter of the Colonial Regulations already referred to, so that whatever may be decided as to the surplus from 1831 to 1843, it is incontrovertible that the surplus from 1843 to the last date on which any surplus was deposited in the military chest, should be refunded to this Government, and the sums thus deposited amount to 6,000 *l.*

But if the regulations of the service on a point of such moment to the Crown property of this Government could doubtfully have been disregarded or unheeded by any officer charged with the interests of this Government, that doubt in the instance of the late Governor must be dispersed by his own words, declaring his own intentions. The following extract of a despatch from the late Governor to Her Majesty's Colonial Secretary of State, must set at rest any question as to his having ever entertained any other thought in depositing sums of money of temporary surplus in the military chest, but that they were imprests or deposits reclaimable at any time for any purposes or exigencies of the public service.

Money paid into the Military Chest at Gibraltar, arising from any casual surplus of revenue, considered by the Governor as imprests or temporary deposits in aid of general revenue, and reclaimable at all moments for exigencies of the Local Government.

Extract of a despatch from the Governor of Gibraltar to Her Majesty's Colonial Secretary of State, No. 34, dated Gibraltar, 16th March 1846.

"Revenue and expenditure.

"The receipts show a decrease on the year, compared with the previous year 1844, of 3,183 *l.*

"The expenditure is also greater than that of 1844, but under that head are included payments into the military chest as 'surplus revenue,' which amounted in 1845 to 6,000 *l.*, and should be considered imprests by this Government in aid of general revenue."

These views and purposes in depositing surplus revenue in the military chest, were also frequently spoken of by the late Governor previous to his quitting the government.

The sum of 5,713*l.* 4*s.* 7½*d.* levied on the Local Government of Gibraltar for building the lighthouse, the duties of which are recovered by the Corporation of the Trinity House.

The Lords of the Treasury question the validity of my objections to the expense for the lighthouse being chargeable to the Gibraltar revenue.

My objection was founded on the simple fact of our receiving no compensation for a large sum abstracted from our limited revenue; while at the same time I proposed in my report the surrender of the claim to the light dues, as soon as the Gibraltar government had been reimbursed for the original expense of the building.

It is stated in the minute, that I am mistaken in supposing that a surplus revenue is derived from the lighthouse dues.

Extract from Treasury Minute.

"Sir Robert Gardiner is mistaken in supposing that a surplus revenue is derived from the lighthouse dues. My Lords have received from the Trinity House a statement of the amount received as dues for the lighthouse, and of the expenditure for maintenance and repairs.

1844 to 1849, both years inclusive.

"It will be seen, that although the receipt during the last six years has exceeded the expenditure, the surplus of that period has been insufficient to defray the previous outlay from the funds of the corporation."

Appended to the Treasury minute is a statement of the Gibraltar lighthouse surplus on dues, and deficiency on its maintenance; showing that in the years 1841, 1842, and 1843, the deficiency amounted to 569*l.* 15*s.* 1½*d.*, and that during the following six years (1844 to end of 1849), the surplus on dues amounted to 616*l.* 15*s.* 10*d.*, which will certainly cover all deficiency occurring in the outlay of the three preceding years.

Surplus on Light dues	£.616	15	10
Deficiency on maintenance	569	15	1½
	£.47	-	8½

The

The temporary relief of a pension of 500*l.* from the Gibraltar revenue (adverted to in the Treasury minute) has in some degree diminished the growth of debt, which can never be guarded against till the causes of the disproportionate amount of local revenue and expenditure set forth in my report of 1850, receives the serious consideration of Her Majesty's Government.

Public Pension chargeable on the Gibraltar revenue.

The last point adverted to in the minute on what I consider the causes of the Gibraltar debt, is a claim made by, for money paid to the Ordnance Department for storing merchandize in the Chatham Counter-guard.

Abstraction of 300*l.* annually from the local revenue, in sums paid for storing merchandize in the Chatham Counter-Guard.

This claim justly presents itself from the circumstances of there being no taxes at Gibraltar, consequently there is no Custom-house here. The revenue collected, free entirely from sources of taxation, is appropriated to the maintenance of the Crown establishments of the fortress; and it is manifestly a more simple and reasonable way of doing things, to appropriate the sums paid for storing merchandize in the Queen's works in aid of the maintenance of the Crown establishments at Gibraltar, than to witness a perpetual debt from the inadequacy of the local revenue to support those establishments. The sums abstracted from the local revenue for depositing goods in the Queen's works, would nearly cover a quarter's amount for pensions chargeable on the Gibraltar revenue.

I do assure your Grace that it is with the most extreme reluctance I offer these minute and desultory remarks, which to your Grace and to the Lords Commissioners of the Treasury must appear of trivial importance. But being adverted to in their Lordships' minute on the report of 1850, I feel that to avoid grave misapprehension and adoption of error, which might lead to the most serious consequences to Her Majesty's service, I have no alternative but to place them before you. And thus, as I hope, induce Her Majesty's Government to rescue this fortress from a financial and growing social disorder, which I do not think is sufficiently known or contemplated.

In pressing on the attention of Her Majesty's Government the causes of the debt at Gibraltar, it is not my wish to urge the restitution of any sum beyond the 6,000*l.*, deposited in the military chest during the government of my predecessor. I would undertake to retrieve the public debt with that sum, and also provide for some long-standing and pressing public wants. And for the restitution of this sum, I appeal to the sense of justice of Her Majesty's Government. I earnestly entreat Her Majesty's Government to afford this claim a consideration, embracing all the consequences involved in their decision. Above all, to avert the ruin of protracted debt and injury to Crown property, to which the abstraction of this sum from our revenue has mainly contributed.

Admit that the late Governor committed an error, it could not have arisen but in his trust and dependance on the public faith of Her Majesty's Government. In his name, therefore, and in my hope that Her Majesty's Government will rightly judge his motives, I appeal to their generosity. By the regulations of the service, a knowledge of which must have given double force to his trust in Her Majesty's Government, I appeal to their justice. By the irremediable ruin that would attend their abnegation of this claim, I appeal to the consideration of Her Majesty's Government, as on a matter of calculating business, how far it would be expedient to leave this important possession of the British Crown in a state of insolvency, aggravated by the abstraction of so large a sum from its own resources. No matter by what chances alienated, whether by error of the Governor or misconception of his purpose. I appeal to Her Majesty's Government to avert a state of financial ruin; and thus restore to Gibraltar, by their own act of generosity, justice and public necessity, its own means of clearing off its debt.

I will now proceed to examine the question next adverted to in the Lords of the Treasury's minute—that of revenue—though not till after the debt is paid can the expenditure be adapted to the revenue.

III.—*Treasury Minute on the "Revenue" of Gibraltar.*

The Minute on the Report of 1850, adverts to the existing debt, revenue, and expenditure of Gibraltar, but the main subject, the object for which the report was written, that is, a demonstration of the causes of the debt, and the causes of

the declining revenue, and the causes of excess in expenditure, are not brought under consideration, which I account for from the circumstance of their Lordships not having read the entire report—which shows corelatively the causes of debt, and declining revenue—and over expenditure; and further, submits to Her Majesty's Government the measures by which I would pay one, and relieve and correct the other.

"Taxation not an available source of revenue at Gibraltar." Report, 1850. Treasury Minute, 1851.

The Lords Commissioners of the Treasury object to my repudiation of taxation as an available source of revenue at Gibraltar.

"The Governor assumes immunity from taxation as an immutable principle at Gibraltar. My Lords cannot assent to such a proposition.

"They are quite willing to admit that the amount of revenue to be raised at Gibraltar must be regarded as a secondary object, compared with the security of that important fortress; but these objects have not been considered incompatible with raising a revenue sufficient to defray the expenditure required on the spot, and frequently to leave a considerable surplus."

In reading a report framed for the purpose of enabling Her Majesty's Government to consider fully the state of financial disorganisation at Gibraltar, a question naturally presents itself, how, and under what circumstances did the disorganisation occur? At what period? Under what form of government? Whether debt and deficiency of revenue ever occurred previous to the fortress having been made a colony?

It is known by every person conversant with the government of Gibraltar at past periods, that such was not the case. Debt never existed, nor did revenue ever fail, while Gibraltar was governed as a fortress. On the contrary, large sums of overplus revenue were remitted to England, and appropriated to the expenditure of the Privy Purse. This one isolated fact would alone be sufficient to mark the error, now universally admitted, of making this fortress a colony.

But unfortunately, there is a picture to be placed in reverse to all the advantages that could have been anticipated by the most sanguine minds in the contemplation of that most fatal error.

Gibraltar considered as a fortress and a colony.

In investing it with an empty colonial name, we have injured Gibraltar as a fortress. It has manifestly lost military cast in the opinions of military men of all nations. We have shaken, if not subverted its necessary military control; and provoked a craving, and a demand for political power, never dreamt of by the population of the fortress; and which from its geographical position, is wholly incompatible with its security.

We have done more. We have gone nigh to sap its security as a fortress by the encouragement and almost invitation of residents, given to a numerous alien population, and thus created a difficulty which I have never yet heard any one pretend to overcome or provide for.

I have more than once asked: what is to become of this overgrown population in the event of war? What shall we do with it? How dispose of it; how feed it? Where send it?

During the celebrated siege, the population did not exceed 2,000 persons. It now numbers 15,000 to 16,000 persons.

I most respectfully solicit the indulgence of Her Majesty's Government in thus unreservedly urging on their attention facts of such prospective ominous results. But they form part of the evils to be considered from having made Gibraltar a colony.

As regards the question of revenue at Gibraltar to be raised by taxation, if it is desired to convert this garrison into an electioneering borough, there are certainly sources from which we could augment revenue by taxation; but the danger which already is ever latent within its walls from attendant circumstances of its being made a colony, would, under the impost of taxation, soon array itself against the security of the place.

But putting out of consideration this certain consequence of jeopordizing the security of the fortress, I know not by what principle of justice we could impose

taxes,

taxes, and yet withhold political power. Let us build honestly, or we shall not build securely. If this Babel population were taxed, every voice would join the cry for grant of political rights; and such a grant to the population of Gibraltar would be something like opening its gates to Spain.

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The Crown Land Office.

I have derived the highest gratification from the commendation expressed in the minute of the Lords of the Treasury, of my views of revenue as derivable from the Crown property at Gibraltar. And it is with great satisfaction I now state for your Grace's and their Lordships' information, that the sanguine expectations I held forth from this source of revenue, have in each successive year since that period been realized. The land branch I confidently predict, if zealously and judiciously superintended, will become, from year, to year an improving and increasing source of revenue.

The increase in rent last year was 411*l* sterling; and the total sum collected for confirmations and other fees amounted to no less than 288 *l.* 16 *s.* To the end of May of the present year 98 *l.* 6 *s.* 8 *d.* has already been received.

The value attaching to this important branch of our revenue, will I am persuaded ensure me the pardon of Her Majesty's Government if I again press on their consideration the necessity set forth in my report of 1850, of effecting and securing the permanent efficiency of this department of the Government. All details for this purpose I have already pointed out; and when we are relieved from our debt, and squared in our annual revenue and expenditure, this important object will be of easy attainment.

At present, the whole knowledge of the business of this office is limited to two or three individuals; and it is impossible to foretell the confusion that would arise not only most injuriously affecting the interests of individuals, but the rights of the Crown, in the adjustment of future claims and titles to property, should these individuals pass away in the stream of life, before other persons could be adequately instructed in the intricate business of the office to succeed them.

Necessity of revising and reconstruction of the Charter of Gibraltar.

I have nothing further on this occasion to remark on the questions of revenue; but I cannot conclude the observations on the subject, without submitting to Her Majesty's Government the absolute necessity of a revision of the Charter, with a view to its partial reconstruction and adaptation to the character of the civil population and security of the fortress, no less than the purpose of equalizing the revenue and expenditure of the place.

10 May 1852.

It has been intimated to me, on my suggesting the advantages that would result from a digest, framed on my report of 1850, that "such digest should be made under my directions at Gibraltar."

I am sensible of the honour conferred on me in this confidence, but such a task is not to be undertaken lightly. No one will volunteer it, I presume. I felt, at least, that such an undertaking, to be in any way effectual or beneficial, must have embraced an entire revision of the Charter; and I could not charge myself with so important a work, without knowing that Her Majesty's Government were impressed with a conviction of the insufficiency and ruinous tendency of the present Charter, or wished to afford it a reconsideration.

But unquestionably, as time advances, Her Majesty's Government will more and more see the necessity of its reconstruction; and as in all cases of procrastinated necessary reform, the evil grows with its delay, so the eradication of the evils of the Charter, their incredibly fast-spreading ramifications will increase in difficulty, according to the term of its postponement.

Sooner or later, therefore, the task must be undertaken; and whoever may be honoured with the burdensome and onerous charge, let him prepare himself not only with knowledge of the local law, magisterial duties, trade, financial and commercial interests, together with the relations of the place to Spain; but let him also become aware and thoroughly alive to the demoralization of a smuggling population, and the efforts which, covertly and openly, are for ever at work to abuse, avert and evade the authority and power of Government, fast diminishing under an inapplicable and inefficient charter.

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IV.—*Treasury Minute on the Public "Expenditure" of Gibraltar.*

I NOW beg to submit to your Grace the observations I have to offer on the minute of the Lords of the Treasury on the subject of "Expenditure," and to state the measures by which I would equalize the expenditure and revenue of Gibraltar.

In the outset of their Lordship's minute on the point of expenditure, their opinion is expressed, that the "civil establishments appear to exceed what may be reasonably required," and "that considerable reductions may be effected in salaries of some of the civil appointments."

I beg respectfully to assure their Lordships, that no increase of revenue can be attempted from a reduction of salaries, without sinking the discharge of civil duties in this fortress to a state of deterioration at once discreditable and inadequate to the public duties to be performed.

The existence of some of the civil establishments at Gibraltar, is one consideration, their necessity is another; but as long as they do exist, persons cannot be found either willing or adequately instructed to pretend to undertake duties, which, though not requisite here, are compensated in places where they are required with high salaries.

To square the expenditure with the revenue of Gibraltar, I will state the measures by which I am confident we can alone (with local advantage too) reduce the one or increase the other. The advantages would be a great increase of revenue, or rather of revenue saved, and additional military security to the fortress.

The point of first and indispensable necessity is to settle the public debt.

If Her Majesty's Government are pleased to cede the restitution of the 6,000 *l.* deposited in the military chest for casual exigencies of the public service by my predecessor, my purpose is, first, to appropriate it to the liquidation of
£.3,731. debt accumulated by inadequacy of revenue to meet the heavy pensions chargeable on the Gibraltar revenue.

£.577. 14. 5. Secondly, to discharge a debt due to the Bishop of Gibraltar for public expenditure for the cathedral, as stated in my report of 1850, for which sum the Bishop is left responsible, and has actually, for many years, been subjected to an annual payment of its interest.

£.3,731 – – / 577 14 5 } £.6,308 14 5

£.6,000 – –
£.691 5 7

These payments would leave a balance only in hand of 691 *l.* 5 *s.* 7 *d.*, for the execution of public works of pressing necessity, such as a gaoler's house, and alterations in the civil prison; for the construction of tanks, of which we have pressing need, both from the vast increase of population, and for the purposes of gushing the main sewers and drains of the town, which are yearly becoming more choked with indurated foul matter, and must in time cause pestilence to the place; for the repairs of Crown property; for the repairs of public roads; for the repair of the grand parade; for the purchase of bell and clock, and interior repairs in the cathedral, with various other public wants, among which may be estimated new furniture for the Government House, the curtains and carpets of which were reported as soiled shreds and rags more than two years ago.

The last public want I shall mention is a census, the expense of which would be 112*l.*

The last census taken was in 1843.

Proposed abolition of the Supreme Court at Gibraltar.

With the debt thus paid off, the most necessary repairs and wants put in forwardness, I would simultaneously undertake what would then be the easy task of appropriating our future expenditure to our revenue, to do which it is only necessary to give a few moments' attention to the heavy burden of expense of the unnecessary, as well as inappropriate civil establishments imposed on this fortress on its being made a colony.

In the report submitted by me to Her Majesty's Government in 1850, I suggested the abolition of the Supreme Court of Justice as useless and burdensome in

in itself, and inconsistent with the nature of crime (rather vice) and habits and character of the alien population of Gibraltar.

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It may not be unuseful to take under view the form of law which worked so favourably in Gibraltar as a fortress, and the form of law which has worked so fatally in Gibraltar as a colony.

Comparative view of the expenditure on the Courts of Law at Gibraltar as a fortress and a colony.

While Gibraltar was a fortress, justice was administered by a tribunal established by Royal Charter, called " the Court of Common Pleas."

The process of this court and its rules of practice were of the most simple nature, wholly free from subtleties of special pleading and unmeaning technicalities, and consequently accessible and prompt, and cheap in its proceedings.

In 1830 Gibraltar was made a colony, and a judicature of far higher pretension and costly character put aside the Court of Civil Pleas, which for upwards of a century had so advantageously worked with the peculiar alien population of the fortress. The establishment of the new court was attended unfortunately with a very great proportion of the system of pleading and practice of the superior courts at Westminster, thus augmenting considerably expense and delay of law, and contributing to loud complaint and the unalterable unpopularity under which the Supreme Court from its first foundation has unquestionably laboured.

Legal business therefore has declined to such an extent at Gibraltar, that while the suits disposed of by the Court of Civil Pleas amounted to from 800 to 1,000 per annum, in the Supreme Court they scarcely ever number one dozen.

The criminal business of the Supreme Court is on a par with its civil suits.

Sessions of the Supreme Court are never held more than twice a year, very often less. The session held previous to that just closed, opened on the 19th July 1852, adjourned on the 4th August to 5th August, and 16th August 1852; from that time to June 1853 (a period of 10 months), no trials took place in the Supreme Court of Gibraltar.

The charge for this burdensome and useless establishment amounts annually to upwards of 2,000 *l.*, clear of any incidental small sums derivable from its precarious returns.

These details were submitted by me generally to Her Majesty's Government in 1850.

* * * * *

To conclude, in 1827, when Gibraltar was a fortress, the annual expense of the Court of Civil Pleas amounted only to 1,368 *l.* 0 *s.* 8 ¼ *d.*, whereas under its colonial judicature, the cost of law at Gibraltar has been augmented to the enormous annual sum of 3,454 *l.* 5 *s.* 9 ½ *d.*

Proposed abolition of the Civil Police Establishment at Gibraltar.

Among the many civil establishments created on making the fortress of Gibraltar a colony, none have acted with such prejudicial influence on the military character and real military security of the place than the substitution of a civil for a military police; it has changed the character of the fortress in the eyes of all foreigners, who considered its former security as much owing in its way to its well-ordered military police, as to the indomitable character of its garrison.

That prestige, of such incalculable value and importance to Gibraltar especially, has unfortunately passed away. The civil police are now responsible for all persons entering or quitting the fortress; thus, even in its security, it is ostensibly in the keeping of the civil police, though virtually that security is vested in the responsibility of military power.

Unquestionably this is one of the worst evils resulting from making Gibraltar a colony. The civil police, however well-intentioned, and zealous as they are at times, possess no moral control over this resident and floating population, whose boldness and daring in cunning and stratagem have continued to increase from the time they were given over to civil observation and control; the day will come when this evident growing evil must be checked, and military regulation, order and system resume their power and influence in the garrison.

Comparative view of Public Expenditure in the Police Courts at Gibraltar as a fortress and as a colony.

The formation of a civil police at Gibraltar has entailed an additional annual charge on the revenue of 1,208*l.* 15*s.* 6½*d.*

	£.		
Town Major's Office, in 1827	2,515	6	8½
Town Major's Salary	91	5	–
	2,606	11	8½
Police Establishment in 1852	3,815	2	3
Ditto in 1827	2,606	6	8½
Annual Increase	1,208	15	6½

The expense of the police establishment when Gibraltar was a fortress, was in 1827, 2,515*l.* 6*s.* 8½*d.* To which should be added the Town Major's salary, as head of the police, making a total of 2,606*l.* 11*s.* 8½*d.*

Increase of expenditure in annual Pensions when Gibraltar was made a Colony.

In 1827, just previous to Gibraltar being made a colony, the annual sum chargeable to the revenue, was only 198*l.* This sum was divided into proportionate parts among three persons; the widows of three deserving public servants.

	£.		
Present average amount of Pensions	2,780	–	–
Amount of Pensions in 1827	198	–	–
Annual Increase	2,582	–	–

The increase of pensions since Gibraltar became a colony, amounts annually to 2,582*l.* This is an item of expenditure that will necessarily arrest the attention of Her Majesty's Government.

The following statement will show at one view, the relative cost of law and police, and charge of pensions while Gibraltar was a fortress, and from the period the fortress was made a colony.

Gibraltar as a Fortress:	£.		
Law	1,368	–	8¼
Police	2,606	11	8½
Pensions	198	–	–
	4,172	12	4¾

Gibraltar as a Colony:	£.		
Law	3,454	5	9½
Police	3,815	2	3
Pensions	2,780	–	–
	10,049	8	–½

Concluding observations on Treasury Minute on the Debt, Revenue, and Expenditure of Gibraltar.

I have now, I believe, brought under your Grace's notice, the material points of debt, revenue and Gibraltar expenditure, discussed in the Minute of the Lords Commissioners of the Treasury. At the same time, exemplifying to your Grace the causes of our debt, and the measures by which I would square our future expenditure to our small but certain revenue.

The sure, but limited revenue of Gibraltar, should be husbanded to keep up the Crown property, one of its most certain sources; and providing for our essential public wants; but which I have shown, is at present wasted on enormous, unprofitable civil establishments, not wanted, and wholly inapplicable to the character, taste or comprehension of the population.

The truth is, and it cannot be too forcibly impressed by any Governor of Gibraltar, on the earnest consideration of Her Majesty's Government, there has been since Gibraltar became a colony, a sum improvidently appropriated to the expenditure of the Imperial Treasury, of no less amount than 19,907*l.* 1*s.* 9½*d.* A sum which should have been withheld, and expended on the public necessities and service of Gibraltar,—

£.		
4,193	17	2
4,000	–	–
5,713	4	7½
6,000	–	–
19,907	1	9½

Thus: 4,193*l.* 17*s.* 2*d.* not accounted for when Gibraltar was made a colony; 4,000*l.* I have detected in old financial papers since my Report of 1850; paid into the military chest in 1837, 5,713*l.* 4*s.* 7½*d.*; the advance of money for erecting light-house; 6,000*l.* paid into military chest as imprests by the late Governor.

£.		
19,907	1	9½
10,179	18	–½
30,086	19	10

£.10,179*l.* 18*s.* 0½*d.* paid to the Ordnance Department for hire of part of the Queen's work, in the absence of a Government building—a custom-house; making a total of 30,086*l.* 19*s.* 10*d.*, diverted from the garrison revenue since Gibraltar was made a colony.

In its military form of government, that is, as a fortress, the same or higher amount, would in the same number of years, been actually available as surplus revenue in aid of the Imperial expenditure; but the items I have instanced, were abstracted or alienated from the local revenue, while the Crown properties and public wants of Gibraltar were left disregarded, and the revenue itself declining into a state of hopeless chronic debt, from its newly appointed overwhelming civil establishment, above all means of maintenance; and resulting finally, in the state of public insolvency in which I found the government.

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Of the proximate cause of our debt, among the many causes I have instanced, there can be no doubt but it was the 6,000*l.* appropriated under a misconception to the Imperial expenditure; till that sum is restored, and its vast and useless civil establishments altogether abolished, Gilraltar will remain a burden on the Imperial Exchequer of England; but that just claim conceded, and those necessary abolitions provided for under a new charter, Gibraltar will relieve Her Majesty's Government from all expectation of financial aid; and in the words of the minute of the Lords of the Treasury, its revenue will "be again brought into that state in which, for many years, it afforded a surplus."

V.—*On the Currency of Gibraltar.*

I would have wished, in a report of this nature, to have offered the Lords Commissioners of the Treasury, some observations which might have relieved this question, not from the obscurity, but the embarrassment in which it still remains involved.

I forbore entering on the subject in my Report of 1850, sensible that it must be familiar to their Lordships in all its theoretical and practical views; and being, as I was aware, already accessible to their Lordships' investigation in the definitions of numerous able officers to whom the financial department of this government has been confided by the Lords of the Treasury for the last 150 years.

I should, with great caution and reserve, therefore, venture to propose any alteration of the present currency, disadvantageous as it is to the Imperial Treasury; at the same time, I do not consider the question one of insurmountable difficulty.

Gibraltar being in Spain, its population being essentially Spanish, its trade being almost exclusively Spanish, its daily dealing in its market supplies from the adjoining country, no less than in its commercial intercourse with Spain, renders it almost an absolute necessity that the circulating medium, or small retail payments should be made in Spanish coin.

The course to adopt, which appears to me to be attended with least loss to Her Majesty's Government than any other, is that which was submitted to the Lords of the Treasury about two years ago.

About that period, on the supposition that Spanish coin could be procured by the Lords of the Treasury on better terms than by tenders to the Jews and money traders of Gibraltar, it was suggested to their Lordships to send from England sufficient occasional remittances of Spanish coin as would provide for the payment of the troops and Crown officers of Gibraltar; but for reasons which I did not learn, this suggestion did not receive their Lordships' approbation; but I know no other alternative which at all promises a permanent settlement of this complicated question, that would secure the troops against all real or imagined loss, and with less loss than by any other measure to Her Majesty's Government.

It is scarcely necessary to recall to the consideration of the Lords of the Treasury, that the revenue of Gibraltar is collected in Spanish coin.

If the suggestion of remitting Spanish coin from England should be ultimately adopted, I think it could be best effected by an understanding with the Spanish Government, that England, for the evident advantage and convenience of the contiguous communities of Gibraltar and the Campo of San Roque, should have a temporary discretionary power of coining a limited amount of Spanish coin; say adequate to the payment of the troops and Crown officers of the garrison. I know of no other means of effectually wresting the command of money which the Jews and money traders at present hold in Gibraltar.

VI.—*On the Trade of Gibraltar.*

It is a great satifaction to me to have it in my power to inform your Grace that there has been within the last nine or ten months, a slight, but an evident improvement in the Gibraltar trade; and consequently, a proportionate increase of revenue. A cheering proof, that though the springs of our trade have been abused and injured, they have not lost their vitality. The revenue of Gibraltar fortunately derives one of its chief contributions from active licit trade; and after 150 years error, the Governor of Gibraltar, by the wise and just views

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of Her Majesty's present Government, is enabled to prosecute its thriving increase in the progressive establishment of a sound, sure, prolific and honourable commerce.

The present favourable increase owes nothing to the traders of the place; it is to be traced to the great increase in the amount collected on our port dues; and that we owe to the Spaniards in the concession of "the flag." Since that important boon, the resort of vessels to the port has greatly increased. The number of Spanish vessels entered in May since the concession of the "flag," has been 46, and these all honest trading vessels.

The number of Gibraltar vessels cleared out for Spanish ports during the same period, is 48; but not one of these vessels discharged her cargo in a Spanish port.

In their incessant memorials on the subject, these people represented the grant of the flag as the very keystone of honest licit trade at Gibraltar; and its attainment the ultimate aim of all their wishes.

When they at length obtained it, they would not even thank the Queen or Government of Spain for the boon; and from that time to this, as far as they are concerned, there has not been the slightest relaxation in the Gibraltar smuggling.

With a population so inveterately blinded and vitiated from their long course of smuggling, I should despair in my views of ever establishing a free licit trade at Gibraltar if I had not aims in view beyond their co-operation. The full success of my work, I am sensible, centres and must be prosecuted at Madrid; and to Madrid I shall direct my unremitting efforts. It is a heavy task to accomplish, but it is one involving national name and import, worthy of the effect I know it will cost; and the labour I am prepared to devote to its attainment.

VII.—*Considerations on the Commercial State of Spain, with a view of establishing a Licit Free Trade at Gibraltar.*

Previous to entering on a consideration of these important subjects, I cannot forbear adverting to the aid and facility that any efforts at this moment to suppress the smuggling trade of Gibraltar would derive from the commanding and popular influence of certain high noble authorities at present presiding over ministerial and diplomatic administration in Her Majesty's Government. I allude to Her Majesty's present Minister for Foreign Affairs; and Her Majesty's representative at the court of Madrid; the Lords Clarendon and Howden.

I cannot, during the administration of such high authority, presume to suggest the policy which should guide England in her relations with Spain. I know of no experience so well able and calculated to promote the relative commercial benefit of Spain and England, as that which must continue to be derived from their Lordships' perfect knowledge of the real interests, vast resources, yet disastrous financial and commercial position of Spain. In the object I have in view, therefore, I shall confine myself to the consideration of such measures as will, in my opinion, tend best to promote and facilitate the earliest possible attainment of those international commercial relations contemplated in their unerring and wise policy.

It has been said, in discussing the smuggling of Spain and Gibraltar, that we have no business to become Spanish revenue officers in order to suppress it. That is very true; but, on the other hand, it is also true that it is not fair or just that we should be passive lookers-on, when we hold the power in our hands to avert a nation's ruin.

The policy of England towards Spain has till now been so far erroneous, as in some instances to have shown a disregard of the value of the alliance it is certainly our interest to propitiate. We have also, pursuing an error, participated in that particular character of trade which has contributed to her financial ruin and moral degradation.

To propose or to attempt to deal with Spain, under such circumstances, for any purpose of licit or enlightened views of commerce, is perhaps a greater difficulty than dealing with a country not yet emancipated from dark ignorance; still, the difficulty, properly viewed, is to be surmounted.

The policy of Spain, if she has a guiding policy, combines the almost incredible opposites of chivalrous greatness and lawless licentiousness. The one has become but traditional, but so far lives as to be capable of being worked on, and

is

is still reclaimable; the other, unfortunately, influences and leads to actions which dishonour rather than exalt nations; yet Spain is the nation in the world that of all others is the most alive and susceptible to an appearance of slight or imputation cast on her national character.

This is the natural state of a nation fallen in greatness, and conscious of its moral and material weakness. It calls for skill, forbearance, and high generosity, to deal with such a nation; yet again, possessing Gibraltar, it is worth England's while, and worthy England's greatness, to bear with her weakness, while aiming at her political and commercial regeneration.

A profligate and heartless moralist has said, we hate those to whom we are bound by obligation.

Something like this leaven of human weakness prevails among the high classes which govern the destiny of Spain. England, to whom Spain is so deeply bound, and to whom Spain owes what remains of her existence as a nation, outwardly possesses but comparative influence with a nation to which she owes the sufferings and degredation of invasion and spoliation; a nation whom in her heart she hates, and by whom she is still held in servility, under the most arbitrary and insulting dictation and control.

This is a fact worthy the thought and correction of England. It is only required to think it worth our while to do so, and evince to Spain that England is really her first as she is her most disinterested friend, and Spain will regard us as such.

It is a wonderful truth, that the conflict of conscious weakness, the sense of corruption in all branches of the Government, the fear of the Catalans, the spread of licence from the participation of the Government in smuggling, and consequently sapping the life of the state, are in themselves not sufficient to overcome the feeling of wounded national pride awakened by the injury inflicted by the smuggling trade of Gibraltar. It is the affront which Spain feels, more than the injury. The Government of Spain assumes to itself the monopoly of smuggling, farming it out in a manner throughout the kingdom; but Spain, though thus conniving at her own ruin, will not put up with the disregard we have hitherto shown to her want of power to suppress the smuggling of Gibraltar.

This impression of affront, and apparent assuming on her weakness, we must get rid of before we can arrive at sufficient influence with Spain to induce her, either to abandon smuggling herself, or listen to our counsel for lowering her tariff; we shall never have any influence on this point, while Gibraltar, a port in the heart of Spain, as it were, continues to violate and defy her revenue laws, and participates in the ruin she is content to inflict on herself, but will not endure from others.

It will not be irrelevant as an illustration of the just confidence I feel in the higher influence that would arise from the closer relations of Spain and England, if I state what I have found Spain and Spaniards to be since I have held this command.

On arriving at Gibraltar to assume the Government, I found a most unpropitious state of things.

1. Perpetual disputes on the non-imposition and short duration of quarantine.

2. An existing tax levied at the Spanish Lines and at Algeciras, on all provisions coming to the Gibraltar market.

3. A heavy duty imposed on all Spanish vessels arriving in Spanish ports, having touched at Gibraltar (known as the question of the "Spanish Flag.")

4. No defined national boundary, either of territorial or maritimal jurisdiction.

5. No existing convention for the extradition of Spanish or English criminals seeking refuge in Spain or Gibraltar.

6. The peace of the adjoining governments of St. Roque and Gibraltar, for ever interrupted by the alternate piratical aggressions of the Gibraltar smugglers, and those, no less lawless, of the revenue boats of Spain.

These subjects all bear exclusive relation to, and dependence on, the will of Spain; the Spanish Government had the power and choice of withholding or conceding all or none of them.

While I call to mind that the British dominion of Gibraltar is to Spain a source of national humiliation and wounded pride, I will state what the conduct of the various successive Spanish Governments has been on these points.

V.
Governor Sir R. Gardiner's Report on Gibraltar. 18 June 1853.

1. Instead of perpetual quarantine disputes, the authorities of Cadiz, Tarifa, and those ports extending eastward as far as Malaga, afford me their confidence; and since February 1852, the imposition of quarantine at Gibraltar, has been left, almost without an instance of complaint, to the Health Board of Gibraltar.

2. The tax on the Gibraltar market supplies has been abrogated by Royal Decree since January 1852.

3. The important boon of "the Spanish Flag" was conceded to us by Royal Decree dated December 1852.

4. Boundary still unsettled.

5. On the subject of the convention of extradition, the Government of her Catholic Majesty have officially communicated their approval of the proposal, and their intentions of taking it into immediate consideration.

6. The suppression of smuggling, and the establishment of a licit trade are still objects to aim at and labour for.

Thus, of six most important points of appeal to the Spanish Government, four have been conceded in favour of Gibraltar; two points alone (these certainly materially affecting the welfare of the fortress), remain to be settled; the one, that of the national boundary, which will virtually be settled by the convention of extradition; the other, that of the smuggling trade, which calls for long and patient reasoning, with influential persons, whose interests are identified with the monopoly of smuggling in Spain. But in doing justice to Spain for what she has done, we should cherish the hope of what a nation is capable of doing, which has already done so much.

As far as regards my own humble efforts in the further prosecution of the suppression of smuggling, I can only record my deep sense of the confidence afforded me by Her Majesty's Government, in permitting me to look to their support in my earnest endeavours to do so; the support of Her Majesty's Government, has placed me on the high ground of just reasoning, and enabling me to repel the only imputation which could justify Spain in for ever proclaiming that England took part in the piratical pursuit, and for interested purposes kept alive the smuggling of Gibraltar.

I will close these observations on the commercial state of Spain with an extract from a correspondence, in which I placed before the present Spanish Government the fact that the cause of the evils arising to Spain from smuggling, now rests solely and exclusively with herself; and this fact, to the end of suppressing smuggling, cannot, whether by Her Majesty's Government or Her Majesty's Minister at Madrid, or the Governor of Gibraltar, be too often urged and impressed on the attention of the Government of Spain.

The Governor of Gibraltar especially has intimate knowledge of all the practical workings of this cause of Spain's decline, and he should never lose sight of the benefits, which from his position, he can render Spain; but on every occasion persevere in unceasing efforts, by illustration of what passes under his notice, and by the influences of reason, to reclaim the Spanish Government from a vicious thraldom which they for the most part hate and fear, as the spell which impedes the rise of the country from its commercial ruin.

Before inserting the extract with which I purpose to conclude this report to your Grace, I should state that just previous to Lord Howden's recent departure from Madrid, his Lordship received a note from General Lersundi, the President of the Council of her Catholic Majesty's Government, in which was the following passage:—

Madrid, 27 de Abril de 1853.

"Yo apelo al honor de Sir Robert Gardiner como caballero, si no reconoce que il requardo es un cuerpo creado por una necessidad impresandible. Que declare si no escierto que en Gibraltar re abrigu la gente de pejor especie que vive del contrabando en la costa del Mediterraneo?"

To this I replied, and the following extract from that reply was placed by his Excellency the Lord Howden in the hands of General Lersundi, on the 26th of May last.

Extract of a Letter from his Excellency Sir R. Gardiner, K.C.B. & K.C.H., Governor of Gibraltar, to his Excellency the Lord Howden, her Majesty's Minister at Madrid, dated Gibraltar, 20 May 1853:

"I HAVE, from indispensable occupation, been as yet prevented replying to your Lordship's letter of the 27th ultimo, enclosing a copy of a note addressed to your Lordship by her Catholic Majesty's Minister for Foreign Affairs, the General

General Lersundi, in which a personal reference is made to me by his Excellency, and to which I hope to be permitted, through your Lordship's intervention, to offer some observations in reply.

"4. His Excellency in this appeal has, in effect, offered me an opportunity of adverting to subjects involving the interests of Spain and England on a point of most important consideration. Nothing less, indeed, that the relations of Spain and England, as they are capable of being rendered beneficial or adverse to the trade and commerce of the two countries.

"5. I will endeavour to divest the observations I have to offer on this subject of all recriminatory allusions to events arising out of the past and present state of things; and with this view I do not think it necessary to reply to the questions put by General Lersundi, as to the moral character of the population of Gibraltar. The interests of Spain and England will be best promoted by an inquiry into the cause of smuggling, rather than in discussing the flagrant turpitude of the perpetrators of an evil, which it is in our own power at any moment to suppress. To eradicate the evil, we must strike at its root.

"6. Time was when the Government of England, from views perhaps mistaken as a means to an end, forebore all interference with or restraint of the trade which has given this Bay a celebrity of evil name. The policy pursued by England was founded on a belief that the ruinous consequences of a smuggling trade would in time be seen by Spain herself, and checked by the correction of the errors which led to it.

"7. This sanguine expectation proved unfounded. The cause of smuggling in Spain still exists; the evil attending it grows with the advance of time, and becomes more irradicable from the impunity with which it is permitted, or the connivance with which it is covertly protected. In the meantime, all its evils sap the licit trade and commerce of the two countries.

"8. With whom lays the fault of this state of things? I can answer for England.

"9. Not only has England cast off all trammels to freedom of trade, but, pursuing her enlightened and liberal views and just principles of commerce, all that is fraudulent in trade, as being adverse to her free commercial policy; and I can have no reserve in stating, for General Lersundi's knowledge, that I now act in this Government under the emphatic and assured support of her Britannic Majesty's Government, in my earnest and anxious endeavours to suppress the vicious and pernicious trade of smuggling.

"10. How is it with Spain? I will answer in the terse and true words of a Spanish writer:

'El contrabando se propaga tanmaravillosamente en nuestro sudo, gracias a cierto abono que Hamen Arancel de una virtud sui iqual, que describir la marcha y los progresos de esta planta indigena, reria retrata, la historia de toda nuestra administration publica y privada de todo cuanto se dice y hace el ramo de las rentas publicas.'

"11. This is too true. My own knowledge of the smuggling by sea and land, in the adjacent country, would enable me to demonstrate, were it necessary, that commercial decline, and all the moral evils and crimes of smuggling, have their root and growth in the high tariff of Spain. My demonstration, too, would be supported by the opinion, and by the whole and entire evidence of Europe.

"12. The eyes of Europe, from its military character, political associations or commercial relations with other countries, are ever fixed on Gibraltar. The princes, the legislators, the merchants, the traders of Europe, are ever in continual succession resorting here; and I am thus grown familiar with the frank and unreserved opinions of all nations and classes on the policy of Spain and England, as it relates to Gibraltar; and as that policy is calculated to promote or pervert the manifest great benefits that might be derived to both nations by a wise employment of the advantages which ought to result from its geographical position.

"13. The contrary of this is the fact; and Gibraltar, which should form a link of amity between the two nations whose interests are, above all others, most identically and prominently the same, is, at the end of a century and a half, the cause of frequent international discord. Not that the cause is unknown; the fault is universally attributed to Spain—that great nation, whose vital interests

V.
Governor Sir R. Gardiner's Report on Gibraltar.
18 June 1853.

are absolutely enthralled, as it were, under the spell of a fatal error, her vast resources and national advantages disregarded or rendered abortive by the vice of smuggling. Reasoning against this vice has been exhausted, theoretical illustration unheeded; the evidence of a declining revenue, the dilapidation of her deserted sea-ports, loss of her national trade, the growth of hardened crime, open defiance of the laws, the interruption and suspension of all the energies and resources of this magnificent country, are all alike unavailable to break the spell. Cupidity, the heavenly denounced source of all evil, paralyzes every better feeling; the laws of heaven and of man continue to be disregarded, and the wants of a noble people sacrificed to a monopoly of smuggling.

"14. A country in such a state appears to lookers on, to act as if impelled by the impulse of fatalism; yet the results are evident, and fast approaching. And if human legislation is to be judged at the tribunal of heaven, it becomes more and more an awful responsibility to permit thousands and thousands of beings to remain in a state of vice and crime, when it is in our power to control and arrest the evil.

"15. I feel too sincere and deep respect for Spain to reveal to any person but a Minister of the Spanish Crown, the deeds of crime that result from her national smuggling. But I may say this: That if the Government of her Catholic Majesty should be induced to lower the existing tariff during the period of my command of this fortress, they will find in me a faithful and determined coadjutor in carrying out their honourable and beneficent purposes. Supported in my efforts with the approbation and encouragement of Her Britannic Majesty's Government, I pledge myself (under such circumstances) to put down smuggling here in less than a twelvemonth. Let it never hereafter be said, therefore, that the evils of smuggling rest with the British Government, or with the local Government of Gibraltar.

"16. I submit these observations to General Lersundi in no feeling of presumption, or any exclusively interested views for the advantage of England. Doubtless the trade of England would be benefited equally with that of Spain, by the substitution of a licit commerce for that of contraband. But I would urge nothing for England that would be injurious to Spain. The policy that seeks to benefit one nation at the cost of another, is as short-sighted in wisdom as it is unsound in moral probity and honour. With the welfare of England, I seek for that of Spain. I pray ardently and sincerely for her true greatness and welfare. Her trade, at present is spell-bound under the arbitrary dictation of Cataluña. The comforts, and even the wants of her people, her national trade and revenue, are all kept subservient to a provincial monopoly. I know materials of foreign manufacture actually selling at 100 per cent. The people call for, and must and will have the goods, let them be procured at any cost. Who will not say that such a state of things does not suggest and afford a premium on smuggling? Let Spain reduce her tariff. Give an expansive circulating trade to the country; and the millions which now fill the pockets of smugglers and monopolists, would turn and flow into the state coffers. Spain would then advance from day to day in the development of her vast resources, sending forth her produce to the other nations of Europe, courting the import of that of other nations in return; and finally, rise to that eminence of power and riches, for the attainment of which she is bountifully blessed by Providence above all other nations."

I have, &c.
(signed) *Robert Gardiner.*

APPENDIX.

Documents referred to at page 78.

— No. 1. —

(No. 245.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *R. Gardiner*, K.C.B.

Sir, Downing-street, 7 June 1851.

No. 1. Earl Grey to Governor Sir R. Gardiner, K.C.B. 7 June 1851.

I HAVE been in communication with the Lords of Treasury on those portions of your general report of the 11th of October last, which relate to the financial condition of Gibraltar, and I now have to transmit to you a copy of a communication which has been made to me on the subject by their Lordships' desire. This letter you will find contains full information on the various points to which you advert, and I need only therefore add, that I fully concur in the conclusions at which their Lordships have arrived.

20 May 1851.

I have accordingly to instruct you to furnish me, at as early a period as may be, with a full detailed report of the measures which in your opinion may be most judiciously adopted for so limiting the expenditure and increasing the revenue of Gibraltar, that the garrison may be again enabled to meet the wants of its own Government.

I have, &c.
(signed) *Grey.*

Enclosure in No. 1.

Sir, Treasury Chambers, 20 May 1851.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury, to acknowledge the receipt of your letter of the 19th March last, transmitting with reference, to the letter of this Board of the 25th February on the subject of the payment of pensions chargeable upon the revenues of Gibraltar, extracts from a report of the Governor of Gibraltar, upon the financial condition of the garrison, and expressing Earl Grey's request to be furnished with the views of the Treasury upon the several observations and suggestions of the Governor, before any definite instructions are conveyed to him for relieving the colony from its present pecuniary embarrassment. Encl. in No. 1.

In reply, I am directed to inform you, that my Lords have given due consideration to the several subjects adverted to in this report, and according to Lord Grey's request, they will proceed to express their opinion upon the principal points.

I.—THE EXISTING DEBT of the COLONY.

Their Lordships will first refer to Sir Robert Gardiner's comment upon the proceedings of Parliament and of the Government of this country, as well as those of his predecessors, in regard to the revenue and expenditure of former years, and to the questions which he has raised upon these subjects, as to many of which he appears to labour under considerable misapprehension of the real state of the case.

Until the termination of the reign of George the Fourth, the surplus of the revenue of Gibraltar, formed part of the casual hereditary revenue of the Crown, and was applied to the purposes of the Civil List, the usual course having then been to pay over the amount from time to time to the Privy Purse.

On the accession of his late Majesty King William the Fourth, it was signified to Parliament that his Majesty surrendered to the nation for his life, the whole of the hereditary revenues derived from this and other sources; and by the Civil List Act, 1 Will. 4, c. 25, the produce of these revenues was directed to be carried to, and form part of the Consolidated Fund.

The Civil List Act passed on the accession of Her present Majesty (1 Vict. c. 2), contains similar directions.

The first sum claimed by the Governor as due to Gibraltar is 4,198 *l.* 17 *s.* 2 *d.*, the amount stated to Parliament in 1830 as then remaining in the hands of the Receiver-general of Gibraltar, arising from remittances to him on account of the surplus of former years; and under the Act of 1 Will. 4, before mentioned, any surplus that might remain, after payment of the charges thereon, was payable to the Consolidated Fund. This sum of 4,198 *l.* 17 *s.* 2 *d.* was, however, in point of fact, applied to liquidate certain charges on the revenues of Gibraltar, at that time payable in this country.

The further sum of 6,000 *l.*, stated to have been "alienated from the Colonial Funds," having been paid over in subsequent years, under similar circumstances, as surplus revenue, comes clearly under the provisions of the Civil List Acts of 1 Will. 4 and 1 Vict., and is payable to the Consolidated Fund as part of the hereditary revenues surrendered on the accession of King William 4, and Her present Majesty. The Act is imperative as to the application of the money, and the Treasury has no alternative but to pay over a declared surplus, in the manner directed by the Act.

Appendix.

The language in the present Report on the subject of this surplus, is altogether inconsistent with that of Sir Robert Wilson, Governor of Gibraltar in 1845, in reporting the payment of 3,000 *l.*, part of the sum of 6,000 *l.*; and my Lords request Lord Grey's attention to the following extract from his letter, enclosed in one from Mr. Stephen, of the 6th February 1845:

"I think it may be satisfactory to your Lordship to know the state of our finances to the last day of December 1844. The balance being 6,699 *l.*, I have directed the collector to pay over the sum of 3,000 *l.* to the military chest; leaving a balance in hand of 3,699 *l.*, to meet the charge of salaries and other current expenses.

"In the two preceding years there have been heavy charges on the revenue, for the reform of the civil prison, &c.; all of which are now paid for, except about 340 *l.* outstanding on the Cathedral Estimate.

"No other outlay for public works, chargeable on the colonial revenue, is at this moment required. Your Lordship has granted every necessary alteration and improvement that have been solicited, with the exception of the clock on the Moorish Tower, &c."

It is obvious, from these expressions in Sir Robert Wilson's letter, that the sums paid over up to this time were an actual surplus of revenue. It does not clearly appear what portions of the sums actually paid over, the remainder of the 6,000 *l.* may be; but their Lordships apprehend that all the payments have been made in the same way as the above sum of 3,000 *l.*

With regard to the expenditure for the erection of a lighthouse, my Lords do not understand upon what principle it can be considered as not fairly chargeable on the revenue of Gibraltar. The expenditure for this important object from the revenue of Gibraltar was sanctioned by the Board of Treasury, upon the recommendation contained in the letter from the Colonial Department, dated 29th June 1836, founded upon a proposal from the then Governor, Sir Alexander Woodford. Lord Grey will observe also, that the statement of Sir Robert Wilson, above quoted, is subsequent to the completion of the lighthouse, which was finished in 1842; and the sum expended for this purpose would otherwise have been remitted to this country as surplus revenue.

Sir Robert Gardiner is mistaken in supposing that a surplus revenue is derived from the lighthouse dues. My Lords have obtained from the Trinity House a statement of the amount received as dues for the lighthouse, and of the expenditure for maintenance and repairs in each year, a copy of which they transmit for Lord Grey's information.

It will be seen, that although the receipt during the last six years has exceeded the expenditure, the surplus of that period has been insufficient to defray the previous outlay from the funds of the corporation.

Of the outstanding charges mentioned in the report, Lord Grey has been already apprised by the letter from this Board of the 21st March, that the demand by the Admiralty of 4,153 *l.* 13 *s.* for expenses incurred in England, in fittings for the "Samarang" guard ship, has been directed to be remitted.

Under an arrangement proposed in your letter of the 6th February last, the payment of the pension of 500 *l.* per annum to Mr. Howell, as late Judge Advocate at Gibraltar, will not for the present be required from the local revenues, so long as he continues to hold the office of Inspector of Factories, but will again become chargeable upon that fund upon his retirement or relinquishment of that situation.

The Governor claims the remission of the rent paid for store room in the Chatham Counter-Guard, on the plea that the charge is disproportionate to the expenditure from Imperial funds for this portion of the fortifications, and that the sums already received have been nearly sufficient to defray the original outlay.

My Lords do not see that there is the least connexion between these two considerations; the rent is paid for the use of store-room, and it is quite immaterial what the cost of the Counter-Guard may have been. In those store-rooms goods are deposited in a place of security, with a view to the prevention of frauds on the local revenue, and to facilitate the collection of the duties. So far from the charge being a cause of dissatisfaction, my Lords apprehend that the rent paid is less than the expense of hiring warehouse-room elsewhere, whilst the security is perhaps far more effectual.

Their Lordships do not consider it necessary to advert to the various minor points referred to in this report, but will now proceed to the more important question of the adjustment of the revenue and expenditure of Gibraltar.

II.—Revenue.

The Governor assumes immunity from taxation, as an immutable principle at Gibraltar. My Lords cannot assent to such a proposition; nor do they see any difficulty in raising an adequate revenue, without having recourse to measures which might be construed as affording claim to local rights on the part of the inhabitants, inconsistent with the strict discipline which must necessarily be maintained within the fortress.

They are quite willing to admit that the amount of revenue to be raised at Gibraltar must be regarded as a secondary object, compared with the security and preservation of that important fortress; but they request Lord Grey will bear in mind, that these objects have not hitherto been considered incompatible with raising a revenue sufficient to defray the expenditure required on the spot, and frequently to leave a considerable surplus. This unfortunately appears not to be the case at present; but my Lords are of opinion, that little difficulty will be experienced in providing from local funds for all the expenditure properly chargeable thereon.

Should

Should the anticipated improvement in the land revenue still leave a deficiency to be provided for, my Lords conceive that other modes of raising a revenue in a manner quite free from objection might be devised, which would afford a ready means of meeting the difficulty; but their Lordships are unwilling to propose any measure of this kind until the whole of the expenditure has been fully revised.

Their Lordships entirely concur in the views of the Governor with respect to the land revenue, and will be ready to assent to such additions as may be necessary for the purpose of placing this establishment upon an efficient footing. They could, however, suggest that the labour in the office may be reduced, by diminishing the number of copies of plans (now, no less than six), required in each case of the expiration of the leases of crown property.

III.—Expenditure.

The charge for the civil establishment appears to my Lords to exceed what may reasonably be considered adequate to the duties required; and they request Lord Grey's particular attention to this part of the report, and to the suggestion, that considerable reductions may be effected in the salaries of some of the civil appointments.

Their Lordships would propose that the Governor should be instructed carefully to investigate this subject, and to report in detail what alterations he considers practicable, with the view of placing the salaries of the several officers upon the most economical footing that may be consistent with the efficient performance of the public service, and with the limited amount of the funds applicable to the civil expenditure at Gibraltar.

My Lords cannot see any good reason why the revenue and expenditure of Gibraltar should not, by judicious measures of economy—on one hand, for reducing the expenditure, and, on the other hand, for improving the revenue—be again brought into that state in which, for many years they have been, when, at any rate, a small surplus of revenue has been maintained.

I have, &c.

H. Merivale, Esq.
&c. &c. &c.

(signed) *C. E. Trevelyan.*

Sub-Enclosure to Enclosure in No. 1.

GIBRALTAR LIGHT.

A Statement of the Revenue thereof, with the Charges of Maintenance, Repairs, &c. from August 1841 to 31st December 1849.

YEAR.	Gross Amount of Light Duties.	Commission on Collection.	Net Revenue.	Charges of Maintenance, Repairs, &c.	Surplus.	Deficiency.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1841 -	206 16 –	9 19 9¼	196 16 2¾	294 18 6	- - -	98 2 3¼
1842 -	520 18 9	24 19 5¼	495 19 3¾	687 2 7	- - -	191 3 3¼
1843 -	462 3 5	22 5 6	439 17 11	720 7 6	- - -	280 9 7
1844 -	483 1 2	23 5 2	459 16 –	454 11 8	5 4 4	
1845 -	491 10 5	22 10 2	469 – 3	434 18 7	34 1 8	
1846 -	541 2 –	24 10 5	516 11 7	483 13 2	32 18 5	
1847 -	626 16 –	28 – 11	598 15 1	394 17 10	203 17 3	
1848 -	538 13 9	23 14 8	514 19 1	362 12 2	152 6 11	
1849 -	578 10 8	25 10 5	553 – 3	364 13 –	188 7 3	

Note.—Exclusive of the above, there were certain charges connected with the first establishment of this Light, amounting in the whole to 641 *l.* 7*s.* 2*d.*, which were defrayed by the Corporation of Trinity House, and form no part of the sums stated in the column, "Charges of Maintenance, Repairs, &c."

Trinity House, London,
7 April 1851.

(signed) *J. Herbert,*
Secretary.

Appendix.

— No. 2. —

EXTRACT of a REPORT from Major-General Sir *Robert Gardiner* to Earl *Grey*; dated Gibraltar, 11 October 1850.

No. 2.
Sir R. Gardiner to Earl Grey; 11 October 1850.

REVENUE and EXPENDITURE.

THE revenue of Gibraltar being in a great part derived from sources alike independent of fair trade or smuggling, can only be partially affected by their fluctuations.

Being a possession of the Crown by conquest, its revenues (previous to the commutation on its being made a colony) were appropriated to the expenses of the Civil List, and in some years amounted to 15,000*l.*, seldom less than 5,000*l.*

The causes which have led to the decline of trade at Gibraltar will be shown under their proper head. With the decline of trade at Gibraltar of course we experienced some diminution of revenue; but neither in this decline of trade or revenue is there any sign of decay in the sources of public prosperity. Any person visiting our bustling streets and well-stocked market, where all consumption is daily paid for, would say that we are a prospering community. There is no sign of want except among those classes in which it is common in all countries.

Gibraltar being a free port, no revenue of any sort is raised on goods imported into the garrison.

On the landing of wines, spirits and tobacco, a small wharfage duty is charged on each cask.

On wines and spirits consumed within the garrison a duty is also levied, amounting with the licenses for houses to retail them, to about 3,500*l.* annually.

At Gibraltar there is not any establishment approaching the nature of a custom-house. Ships arrive and depart, their cargoes are landed and reshipped free from all charge except anchorage dues. No officers are put on board, no examination takes place, nor is any question asked except as regards their introduction of wine or spirits for consumption in the town. If these are landed for exportation, like other merchandize, they are free from examination or inspection.

It follows of course that there are no transit duties.

With respect to wine or spirits, not only is it reasonable that being optional luxuries they should be liable to duties and regulations, but that for the safety of the garrison they should be under surveillance.

As a garrison regulation, therefore, wines and spirits are deposited free of duty and all other charges, except a small rent in casements appropriated for that purpose in the outer works of the place.

The revenue of Gibraltar therefore is collected without any contribution of direct taxation from the inhabitants whatever, and without interfering with the charter of the port, which is free, I believe, to an extent unknown in any other instance.

On first becoming aware of the disordered state of the revenue of Gibraltar, I contemplated an attempt to gain some increase to our means by imposing a tax on tobacco, laying a fee on passports and permits of residence, and opening competition in the leasing and reletting Crown land property; but I soon abandoned both the principle and the expediency of my purpose. The principle of levying revenue by taxation in a fortress like Gibraltar, is manifestly untenable. The expediency, therefore, of the measure need not be discussed; though on investigation it would be found to be futile.

The time for taxing tobacco is gone by. The Spaniards have set to work with such earnestness and determination to redeem this great source of their revenue from contraband, that they employ at Sevilla alone 30,000 persons in its trade.

As I attach the chief evils of Gibraltar, both moral and fiscal, to its traffic in smuggling, it is with great satisfaction that I observe a falling off in the quantity imported of this drug. There was certainly a slight increase in the quantity imported in the year 1849; but in the year 1847 it fell from 69,998 cwts. to 53,668 cwts., and in the year 1848 from that quantity to 41,508 cwts.

I found that fees on permits had been formerly tried and failed. In the year 1826 a sum was derived from the sale of permits amounting to 2,628*l.* 3*s.* 4*d.* In the year 1829 when the sale of permits was discontinued, it had fallen to 526*l.* 5*s.* 8*d.*

But apart from fiscal considerations, there arose an insurmountable objection in my mind to the sale of permits either to strangers or resident aliens. It offers grounds for pleading a right of residence, and would thus interfere with that control and power which is sometimes suddenly and peremptorily called for, and is indispensable in the government of a fortress of this character.

In regard to competition in the re-letting of Crown land property, I still consider it as a legitimate source of revenue, and one that would greatly contribute to the increase of revenue which I already anticipate on the renewal of Crown land leases.

The Board of Officers of the Crown land property (with one exception), think otherwise.

It is their opinion, that Crown land property should be re-let at a rate below its value, which they consider a compensation for repairs and improvements made by a former tenant, and also an inducement to other lessees of Crown property to do the same.

This is certainly not dealing with Crown property on the same terms which regulate the interests of private property; and I cannot forego my opinion, that from the increase of population, and the increase of luxury of all sorts, if not of the intrinsic value of property, that an opening to competition in the re-letting of Crown land property at Gibraltar would be

be one of the most successful, as I think it one of the most legitimate sources of revenue to look to.

Taxation not an available Source of Revenue at Gibraltar.

Your Lordship will, I am sure, see the difficulty of balancing expenditure with an overburdened and embarrassed revenue, levied on a principle which must for ever remain immutable at Gibraltar, that of immunity from taxation.

The motives on which this exemption from taxation is founded are self-evident.

Taxation at Gibraltar would give rise to claims of municipal interference with the Government, or to civil immunities totally incompatible with the security and preservation of the fortress. A fortress be it remembered, on the very verge and limits of the country to which it formerly belonged, and to which its overgrown and increasing population is as firmly bound and attached as ever, in habits, in national feeling, in language, and above all, in religion.

For these reasons, and others of reserved consideration involving more deeply the safety of the place, taxation has never existed at Gibraltar, and any approach on the part of the inhabitants to assume any power, interference or participation in the Government, has been invariably and wisely ordained to be inadmissible.

Thus Gibraltar, though nominally a colony, remains in its past, sole, immutable character, a fortress of the Crown.

Sources of Revenue.

The sources of revenue for the foregoing year is estimated at 28,447 *l.* 9 *s.* 9 *d.*, and to be raised under the following heads:

	£.	*s.*	*d.*
Wharfage tolls	700	–	–
Duty on wines	3,500	–	–
Duty on spirits	7,800	–	–
Port and quarantine laws	5,310	16	9
Land revenue	3,960	–	–
Rents, exclusive of lands	611	–	–
Auction duties	833	6	8
Licenses	4,188	13	4
Postage	110	–	–
Fines, forfeitures and fees of court	974	8	–
Fees of office	451	5	–
Sale of Government property	8	–	–
£.	28,447	9	9

The estimate of expenditure for the present year, from causes which will be explained in another place, unfortunately exceeds the amount of estimated revenue. It amounts to 30,337 *l.* 17 *s* 1¾ *d.*, and is intended to cover the following outlay:

Government Expenditure.

	£.	*s.*	*d.*
Establishment	24,092	12	11
Pensions and retired allowances	2,993	–	–
Revenue sources, exclusive of establishments.	95	8	3
Administration of justice, exclusive of establishment.	65	10	–
Education ditto	206	16	7¼
Hospital ditto	766	1	1
Police and gaols ditto	282	13	5½
Rent	200	–	–
Transport	20	–	–
Works and building	752	–	–
Roads, streets, &c.	703	14	10
Miscellaneous services	160	–	–
£.	30,337	17	1¾

I hope that by a proposed Order in Council, of which I have ordered a draft to be prepared, for preventing the unlicensed sale of wine and spirits (and which possibly may be in your Lordship's hands before the completion of this Report), some small addition may be made to our available means. But my object in this measure is principally to protect the licensed dealer in wine and spirits against the fraudulent persons who sell both without license, and though no great increase of revenue can be expected, yet, as a consequence of suppressing any form or degree of fraud and smuggling, it must indirectly augment the revenue.

Appendix.

The increase of revenue to which I look with most sanguine expectation is that which may be derived from the Crown land property, and which, if judiciously and properly managed, will become a principal source of revenue at Gibraltar. But I will consider this branch of the revenue under a distinct head, being one of the most important I can bring under your Lordship's notice.

Crown Land Property.

The Crown land property of Gibraltar yields, as it has been seen, but an annual rental of 4,500 *l.*

It is needless to dwell on remote faults, which are now irremediable. But in a report of this nature, the abuses in the past system relating to the Crown property call for some notice.

The system at one time pursued relative to the Crown land property, must have been a thoughtless, or a most reprehensible sacrifice of the Crown interests. Private property by inconceivable means has been acquired, to an extent quite incredible. The grants in fee of Crown property are more in number than the renewable leases of the Crown. The grants in fee are 440. The renewable leases 314 only; the assessed rental for the grants in fee for the year 1850 amount to 52,080 *l.*, that for the renewable leases for the same year, only 11,295 *l.* 10 *s.*

This past improvidence is deeply to be regretted. But of the Crown land property still available, I hope we may in time derive more benefit, and I look to it as a future means of greatly increasing the local revenue.

Crown Land Office and Commissioners.

The Crown Land Office, under the control of the Collector of Revenues, was originally formed to guard against abuses in conducting and collecting the Crown land and rent revenue.

A commission was at first appointed (under the Orders in Council of 1817 and 1819) which gave rise eventually (in 1823) to the establishment of the Crown Land Office, certainly one of the most arduous in labours, intricate in its researches, and of highest importance from the prospective benefits it affords (under judicious administration) to the future revenue of Gibraltar.

The original organization and number of persons of this department were fully adequate to the purposes of its institution at the time. But its labours from various causes have so accumulated, as to render its thorough revision and reconstruction of immediate necessity.

When originally formed, it consisted of one land surveyor and overseer; one first clerk; and one second clerk.

On Gibraltar becoming a colony (1830–31) from some unaccountable error or false economy, the land surveyor was discharged, with the view of transferring his duties to the commanding officer of engineers, who had always been *ex officio* Civil Engineer. He is the officer in this fortress, who from his high rank, experience and official responsibility, is most competent and eligible to examine and report on all work taking place in the Crown land property when completed. It is also necessary, that as commanding officer of engineers he should be consulted previous to undertaking any work, in order to guard against any detriment to the military defences of the place. But it is perfectly impossible that the commanding officer of engineers, with his vast range of duties and superintendence, can attempt to watch over the work of the Crown land property.

A glance at the constitution of the present Crown Land Commissioners will convince your Lordship of the utter inutility of its members for superintending the work, surveying and practical duties of this department. They are gentlemen neither fitted by experience or instruction for such duties.

For all the purposes of watching over the expiration of leases, investigating the security offered under their renewal, enforcing the fulfilment of the conditions on which they are granted, reporting on adverse and disputed claims, and similar duties, I would leave the Crown Land Board as it is. But for the interests of the Crown land property, the work and practical duties of the department should be wholly under the superintendence and responsibility of working men, who at the same time are persons scientifically instructed.

The person entrusted with the important duties of overseer and surveyor, should be thoroughly acquainted with the local position, extent and allotment of the Crown land property, which in many instances has become divided into separate interests, and again subdivided into ramifications of interests not credible or to be conceived but by those familiarly acquainted with the unaccountable possession of Crown property on the Rock.

The overseer and land surveyor should not only be selected for his practical ability and scientific knowledge of his duties, but he should be also thoroughly qualified as a domestic architect; that is, thoroughly versed in the repair and construction of household dwellings and offices, in distinction to ornamental or military architecture.

The interests of the Crown property require also that the office of overseer should be one of promotion by succession in the office, so as to ensure a present permanent knowledge of all matters connected with this department, and thus save the Crown property from inextricable confusion and possible ruin.

The increased work, and still greater increase of work, to look forward to in this department, arises from the proximate falling in of Crown leases.

If your Lordship, after reading my detail of the work to be performed, should approve of

of the appointment of an overseer and land surveyor, I should propose constituting the Crown Land Office as follows:—

1st. Overseer, surveyor, and draughtsman, at a yearly salary of 180 *l.* per annum. If engaged as house architect as well as land surveyor and draughtsman, to be allowed a house and a salary of 250 *l.* per annum.

2d. Two clerks, to be employed under the overseer and surveyor, each of them to be conversant in the general rules of practical geometry, mensuration and surveying, and plan drawing.

The persons at present employed in the Crown Land Office are well acquainted with the local property, and are masters of their duty, and could not be exchanged but with serious prejudice to the Crown interests.

The senior clerk I would continue, at his present salary of 228 *l.* 2*s.* 6*d.* per annum.

The junior clerk, though in scientific employment, is at present paid less than a copying clerk in any of the other Government offices, and should have his salary immediately increased to 130 *l.* per annum.

These salaries would, of course, under your Lordship's approval, be provided for from the local revenue.

To afford your Lordship some idea of the increase of labour in this department, I will simply mention that, independent of the current business of the office daily becoming more complicated, from the constant changes which transfers and other alienations of property occasion, 118 leases will revert to the Crown between the 1st of July 1850 and the 31st December 1851. To accompany the necessary documents prior to their expiration and the new letting of the properties, no less than 708 plans must necessarily be furnished during that period.

These numbers are to be accounted for in this manner:

On the expiration of every lease of Crown property, six plans, showing the extent of the property, and dimensions of every apartment, with profiles and sections of buildings, are prepared at the Crown Land Office.

These plans are distributed as follows:—

1 For the Schedule accompanying the Report from the Crown Land Board, which remains in the office of the Colonial Secretary.
1 To remain in the Crown Land Office.
2 Original, and duplicate, to be forwarded to the Colonial Office in England.
2 For new leases and counterpart.

The increase in revenue in this department may be seen from a comparative view of its amount at the close of the Commission in 1825, and that of subsequent years.

The annual collection of quit-rents in 1825, when the Commission under the Orders in Council closed, amounted to 13,024 dollars.

In 1830, it had reached the sum of 13,773 dollars.

In 1844, in had increased to 17,761 dollars.

And in the last year it amounted to 18,706 dollars.

Still greater increase may be expected from the renewal of leases granted under the Commission which closed in 1825, and which now approach their termination.

Those reverting to the Crown from July last to December 1852, may be classed as follows:—

Fourteen Crown leases, and 104 leases granted under the Commissioners.

Of these, the assessed annual value of the 104 properties leased under the Commission, is about 14,676 dollars.

If these leases should be renewed at one-third of this value, the rent on them would be 4,892 dollars; from which must be deducted the rents at present paid by the lessees, 1,758 dollars, leaving a clear annual increase to the revenue of 3,133 dollars.

This increase being added to the actual amount payable to the Crown, it may be expected that the rental on the 1st of January 1852 will reach the sum of 21,840 dollars.

I have entered into these minute details feeling that there is no public department at Gibraltar of higher importance to be secured in its usefulness and efficiency than the Crown Land Office. It presents a mass of labour scarcely possible to be achieved properly by the limited means I have suggested. This I respectfully submit to the attention and decision of Her Majesty's Government, convinced in my own mind that the increasing business and value of the Crown Land Office will necessarily call for a greater augmentation of its members than I have proposed.

Having placed these particulars before your Lordship, I am not aware that there remains any other point by which I could throw light either on the present or prospective revenue of Gibraltar. Though the estimated revenue for the year does not equal our expected expenditure, the collections from permanent sources at the close of the quarter ending in July last, fully equal those of the preceding year, and afford just grounds of confident expectation that our revenue, if not diverted from its proper and destined purposes, will prove adequate to cover the annual expenses of the Government. But, as I shall prove to your Lordship, it is perfectly inadequate to enable us to recover or make good the sums which have been alienated from the revenue, and thus left unprovided the means of attending to many necessary public repairs, or of undertaking many public works of equal importance to the health of the fortress and the comfort of the community.

Appendix.

Public Debt.

On my arrival at Gibraltar in February 1849, I found the Government encumbered with debt, and under the necessity of soliciting quarterly loans from the Imperial Treasury to pay the pensions settled on the local revenue.

£. s. d.
630 19 6
689 15 3
£. 1,320 14 9

A sum of 630*l.* 19*s.* 6*d.* had been advanced by the Imperial Treasury in the preceding year, for payment of the quarter's pensions due to the 30th September.

A further sum of 689*l.* 15*s.* 3*d.* had been so solicited from the Treasury for payment of the quarter's pensions due on the 31st December 1848, creating a debt on account of pensions of 1,320*l.* 14*s.* 9*d.*

On further intimacy with affairs, I found that there existed unliquidated payments for the year 1848, as follows:—

	£.	s.	d.
Stationery supplied for the office of registrar of births	18	2	10
Arrears of contingent expenses due to the Colonial Agent to 30 September 1848, about	50	–	–
Balance of 1,097*l.* 4*s.* 5¼*d.* for the repairs and fitting guard-ship "Samarang"	490	7	1¼
Balance of 1,076*l.* 4*s.* 7*d.* for walling and railing in the cemetery	297	4	5¼
Payments made by the Colonial Agent for miscellaneous services	346	2	11
Balance due to Messrs. Beriro on the sale of a piece of ground to the Ordnance Department	96	14	8½
£.	1,298	12	–

The amount of local debt would therefore stand thus:—

	£.	s.	d.
Due on pensions	1,320	14	9
Unliquidated payments in 1848	1,298	12	–
Estimated excess of expenditure in 1849	236	13	8½
Local Debt £.	2,856	–	5½

20 April 1849.

£. 4,153 13 0

In April 1849 I became aware by a despatch from your Lordship, that a considerable sum was claimed by the Lords of the Admiralty on account of expenses incurred in England, in the fittings for the "Samarang" guard-ship at Gibraltar.

Local Debt	£. 2,856	–	5½
Claims of Admiralty	4,153	13	–
	£. 7,009	13	5½

The aggregate amount of public debt, therefore at the period of my assuming the government would appear to have been 7,009*l.* 13*s.* 5½*d.*

There are liabilities also amounting to 577*l.* 14*s.* 5*d.* for which the Bishop of Gibraltar became voluntarily responsible, and for which his Lordship is at this moment paying interest, which in common propriety ought to be reimbursed to him by the local Government immediately.

Causes of Debt.

The causes of the public debt, though sources of great embarrassment and disadvantage to the local Government, afford no ground for uneasiness as to decline in the sources of our revenue. Nor is our debt a consequence caused by any imperative necessity of circumstances or improvident outlay by the local Government. It arises from a variety of causes, the results of which might have been made palpably evident, easily guarded against, and altogether avoided.

There has been a want of representation to the home Government, and a misconception by the home Government in forming too sanguine opinions as to our fiscal capabilities, with an absence of just balance between the burden of expensive civil establishments, and grant of heavy pensions, and our resources of revenue to maintain the one or pay the other.

On searching through the local disbursements and appropriation of revenue, I find a sum amounting to 6,000*l.* unaccounted for; at least for which no credit has been given by the home Government.

This sum was deposited at different periods in the public chest; but I cannot trace that any credit has ever been given for it by the Lords Commissioners of the Treasury; on the contrary, by an official correspondence I have read on the subject, it appears, under some error or misapprehension, to have been diverted from the local revenue of Gibraltar, and appropriated to purposes of national expenditure.

Disputes appear to have been raised in this correspondence as to the motives which induced a Governor of Gibraltar to throw with too confiding a trust, or too prodigal a hand, so vast a sum into the public chest.

The Lords of the Treasury assume the thought, that the Governor of Gibraltar intended to relinquish this money to the public service, and on that ground consider its restitution as irredeemable.

But

Appendix.

But the Governor has left on record an official protest against such interpretation, denying such intention, and stating, distinctly that he placed the money in the public chest, considering it as a reclaimable deposit, and not as surplus revenue.

Under whatever misconception the sequestration of this money occurred, it forms the main cause of our debt, from which we can only be relieved by the Imperial Government. Its consequences would otherwise be ruinous to the place. While, besides avoiding or increasing debt, we could have derived great and numerous benefits from the expenditure of such a sum in our numberless local grants of repairs and improvements.

Had it ever been surplus revenue, as assumed by the Lords of the Treasury, it should, in all common fairness have been expended on those wants; but the fact is, it was appropriated by the Government at home, when we had not merely wants to supply, but large debts to pay.

To suppose a possibility of our ever being able to accumulate such a sum, with our increasing outlay, necessary repairs, new buildings and known local wants, would be idle; it can only be hoped that Her Majesty's Government will take into serious consideration, how such a state of things must prolong the local wants, and prejudicially affect the health, comfort, welfare, and even interests of this community, retard all local improvements, and leave neglected many repairs of Crown property, which, if unheeded, would hasten to dilapidation.

The following details may possibly reveal to your Lordship some unthought of causes of debt, and prove that the revenue of this Government has not yet received the fair dealing and serious consideration it calls for.

I find from documents here, that there was a balance in the hands of the Receiver-general of 11,498 *l.* 17 *s.* 2 *d.*

From this sum he paid 2,300 *l.* on account of pensions, and 5,000 *l.* to the privy purse, leaving still a sum in hand of 4,193 *l.* 17 *s.* 2 *d.*, which sum is manifestly due to the revenue of Gibraltar at this moment.

Take another instance in which the Government of Gibraltar is burdened to this day with an annual expense of paying off the former cost of part of the Government Military works at Gibraltar.

The original cost of the Chatham Counter-guard is stated to have been 12,012 *l.* 3 *s.* 5 *d.*

The casemates of this work being unoccupied, were appropriated by Government for storing whatever was landed subject to revenue duty.

From the completion of this counter-guard to the close of 1849, we have paid not less than 9,160 *l.* 10 *s.* for store rent, in yearly sums of from 200 *l.* to 300 *l.*, or in other words, have been actually paying off the cost of part of the fortification of the fortress, causing an accumulation of debt to be paid from our overburdened revenue.

There still remains a sum of 2,851 *l.* 13 *s.* 5 *d.* to make good the original cost of this counter-guard. But in our embarrassed state of revenue it is to be hoped, that if the Imperial Government do not restore to us the 9,160 *l.* 10 *s.*, we shall at least be relieved from all further contribution to expenses which are wholly and essentially national.

Another cause of our debt was the erection of the lighthouse, the cost of which was imposed on the local revenue of this place, while the annual profits derived from it were appropriated to the Trinity House.

Whatever may be their ultimate appropriation, the dues derivable from the lighthouse should at least form part of the Gibraltar annual revenue, till the expense of the building is repaid to the colony.

The lighthouse was commenced in 1837, finished in 1842, and its cost to this fortress was 5,713 *l.* 4 *s.* 7¼ *d.*

Proposed means of relieving the Revenue of Gibraltar from Debt.

To relieve the revenue of Gibraltar from debt, and place it on a permanent sound basis, and make provision for immediate absolute wants and necessary works, it is of necessity,

1st. That restitution should be made of the balance due to the colony since 1828. — £. 4,193. 17 *s.* 2 *d.* available for liquidation of debt and public works and repairs.

2d. That the sum of 6,000 *l.* alienated from the colonial funds should be restored. — £. 6,000. available for liquidation of debt and public works and repairs.

The recovery of these sums would enable the Local Government to free itself from debt, and partly provide for the most pressing of its wants and public repairs.

£. 4,193	17	2
6,000	–	–
£. 10,139	17	2

For the increase of annual income I would propose:

1st. That the future yearly instalments contributary to the erection of the Chatham Counter-guard should be discontinued. — £. 200 to 300 *l.* addition to annual income.

2d. That the dues collected on the Gibraltar lighthouse should be appropriated to the annual revenue of Gibraltar, or that its cost of building to the revenue should be repaid by the Trinity House. — Additional annual revenue.

3d. And thirdly, by the abolition of uncalled for and unnecessary legal offices, which would cause a clear saving to the revenue of 2,000 *l.* annually. — £. 2,000 saving of annual revenue.

These sums, together with what we may expect from the renewal of the Crown land leases, renewed on an equitable system to the Crown, would probably yield an annual increase to the revenue of 3,000 *l.*

Appendix.

From this source, besides the adequate means of maintaining a just balance between our expenditure and revenue, we might possibly hope to derive means to put in progress our many long and indispensable public wants and repairs.

Such are the simple causes of the public debt of Gibraltar, and such are the only tangible means occurring to me, by which, under the intervention of the Imperial Government we can ever be extricated from its heavy burden.

Gibraltar, in fact, has suffered, instead of being benefited by its intended colonial advancement.

It was a mistake in the Government of the day to alter the construction and character of this Government. There may have existed faults, and even abuses, but they could easily have been reformed, without destroying the simplicity, vigour and fitness of the government, by changes totally inapplicable to the character of the place.

As a fortress and a free port, and with a licit trade, Gibraltar would, I am confident, draw a far greater extent of exportation from England, than under its present smuggling traffic. And thus, beyond realizing a higher amount of local revenue, and providing means for meeting all local wants and improvements, might become, eventually, a permanent auxiliary source of national revenue. But to give Gibraltar a name beyond its pretensions, and call upon its Government to maintain the pageant of a colony when it has neither produce of any kind or manufactures or trade to furnish a revenue adequate to such purpose, is to vest it with an importance only conducive to its ruin.

The only reduction of debt which I have been able to accomplish since February 1849, is under the head of " Local Debt."

	£.	s.	d.
Unliquidated payments in 1848 - - - - - -	1,298	12	–
Local debt, October 1850 - - - - - - -	490	7	1¼
Amount of Reduction - -	£. 807	12	10¾

But it must not be inferred from this that we have a surplus revenue, or that it can ever be hoped to establish a sound balance between the revenue and expenditure of this Government, under the incumbent evils that always attend a state of debt

* So in copy.

Among the worst of these is that,* in principle and a consequent prejudicial public moral influence. Nor is it right that a dependency of England of the high name and conspicuous notoriety of this fortress should be compelled to make quarterly pecuniary appeals to the Imperial Treasury for means of meeting liabilities more imposed on its revenue than incurred by its expenses. Such a necessity is to be lamented in every view.

It saps the foundation of public character, and is detrimental both to the national and local interests.

GIBRALTAR.

COPY of the MEMORIAL presented to the Duke of *Newcastle* by a Deputation from the Merchants of *Gibraltar*; and Copies or Extracts of CORRESPONDENCE relating thereto, and of DESPATCHES dated 21 March 1853, and 15 October 1853.

(*Mr. Bright.*)

EXTRACTS of a DESPATCH of the Governor of *Gibraltar*, dated 18 June 1853.

(*Mr. Newdegate.*)

Ordered, by The House of Commons, *to be Printed*, 27 *March* 1854.

[*Price* 1 *s.* 2 *d.*]

130.

Under 16 *oz.*

An ACCOUNT

OF THE

TERRITORIAL REVENUES and COMMERCIAL DUTIES collected within the Islands of MALTA, GOZO, and COMINO, previous to the Occupation of the Fort Valette by the French in the Year 1798.

		Scudi.	Tari.	Grains.	£.	s.	d.
1.	Eſtates allotted to the Grand Maſter	81,756	8	13	8,175	13	5½
2.	Eſtates belonging to the Treaſury, or *Commun Teſoro*	9,721	7	15	972	3	3½
3.	Eſtates of different Foundations, become the Property of the Government	78,328	7	5	7,832	17	2
4.	Eſtates belonging to the reſpective Tongues	10,884	4	12	1,088	8	9
5.	Eſtates formerly belonging to the College of the Jeſuits	6,189	8	—	618	19	4
6.	Intereſt of Money lent by Government upon Mortgage	1,756	1	1	175	12	2
7.	Cuſtoms	1,00,000	—	—	10,000	—	—
8.	Exciſe on Wine	50,000	—	—	5,000	—	—
9.	3½ per Cent. on the Sale of Real Property	8,000	—	—	800	—	—
		3,46,637	1	6	£. 34,663	14	2

AN ACCOUNT

OF THE

TERRITORIAL REVENUES AND COMMERCIAL DUTIES,

Collected within the Islands of

MALTA, GOZO, AND COMINO,

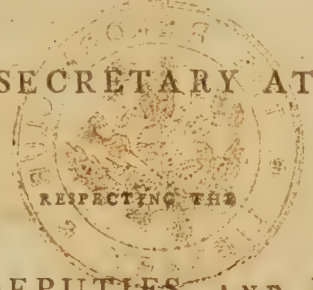
Previous to the Occupation of the Fort Valette by the French in the Year 1798.

Ordered to be printed 12th May 1802.

PAPERS,

PRESENTED TO THE HOUSE OF COMMONS

BY Mr. SECRETARY AT WAR,



RESPECTING THE

MALTESE DEPUTIES, AND M. CHÉPY.

Ordered to be printed 6th June 1803.

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(No. 1.)

Copy of a Letter from the Malteſe Deputies to Lord HOBART; dated 1ſt March 1802

LES Députés envoyés de la Part des Congrés extraordinaires tenus à Malte et Goze, composés des Chefs des Bataillons et Répréſentans de chaque Caſal, ont l'Honneur de mettre ſous les Yeux de Son Excellence Milord Hobart, Miniſtre de Sa Majeſté Britannique, ayant le Département de la Guerre, le Mémoire ſuivant, ſelon les Inſtructions qu'ils ont reçu des leur Commettans le 9 Novembre 1801.

MONSEIGNEUR,

C'EST avec la plus vive Douleur, et la plus extrême Surpriſe que le Peuple Maltois a appris le Sort penible et peu merité auquel il doit être deſtiné par le Retour de l'Ordre de St. Jean de Jéruſalem dans les Iſles de Malte et Goze. La Défection et la Trahiſon dont cet Ordre ſe rendit coupable, feront une Epoque dans les Faſtes du Monde auſſi frappante que celle qui nous jette de Nouveau ſous ſa Domination deſpotique, après qu'il nous livra à une Armee infidèle à ſes Engagements et à ſes Promeſſes. L'Arrêt que la Poſterité enprononcera ne fera guéres l'Eloge du Siecle dans lequel nous vivons, et nous Préſſentiſſons déja les Plaintes et les Réproches que nos derniers Neveux nous feroient ſi jamais une Timidité indigne nous impoſe Silence devant un Tribunal juſte et magnanime, et auquel nous avons l'Avantage d'en appeller.

Nous diſſimulons, Monſeigneur, tout ce qui peut légitimer notre Reſſentiment envers l'Ordre de St. Jean de Jéruſalem. Le Sang verſé, la Mort d'environ vingt Mille de nos Concitoyens, par ſuite d'une Misère la plus affreuſe, les Dépenſes faites dans les premiers Mois de la Révolution, pour maintenir nos Bataillons, et la perte de Six Millions d'Ecus, dementent aſſez les Calomnies atroces dont l'Auteur de la *Réponſe au Manifeſte du Prieuré de Ruſſie* a voulu nous charger. L'Impoſture ſe dément d'ellemême; et Perſonne n'ignore que le Plan de l'Invaſion

l'Invaſion de Malte fut projetté dans Paris, et confié aux premiers Chevaliers de l'Ordre, réſidans à Malte. Les Lettres en Chiffre leur arrivoient ſans ceſſe, ſans cependant alarmer jamais ni le feu Grand-Mâitre de Rohan, ni le Grand-Mâitre Hompeſch.

Après des Faits ſi irrefragables et rapidement cités, conſiderez, Monſeigneur, ſi le Peuple Maltois verra ſans Etonnement et de Sangfroid, les Auteurs de ſes Malheurs remettre pied dans ſa Patrie et diſpoſer des ſes Volontés. Quand même nous en voudrions nous taire, les Cendres non encore refroidies de ceux qui mordirent la pouſſiere pour liberer et conquerir leur Patrie, nous prôneroient à mieux de defendre nos Droits et mieux connoitre la Vérité.

Oui, Monſeigneur, nous oſons le dire ; les Chévaliers de St. Jean de Jéruſalem ne peuvent être retablis à Malte ſans léſer les Droits légitimes des auguſtes Deſcendans de Charles V. les Droits des Maltois, et ſans expoſer ceux-ci à des nouvelles Cataſtrophes. Le Peuple Maltois, diſtingué toujours des anciens Souverains par ſa fidélité, a fait voir, dans ces derniers Tems, qu'il doit encore l'etre par ſon amour pour la Juſtice et par ſon Energie. Il immole aiſément ſes Reſſentimens, mais il déſire qu'on ne méconnoiſſe pas ſes Sacrifices. Et en Preuve de cela, qu'il nous ſoit permis, Monſeigneur, de vous citer la paiſible Reſignation que les Maltois ont témoigné dans la Capitulation que le Général Anglois fit avec Monſieur Vaubois. Notre Sang, nos Trauvaux, nos Droits, et tous nos Intérêts, furent ou méconnus ou méprisés. Nous vimes avec une Calme exemplaire, et qui force aux Egards, les François ne poſer les Armes ſur le Glacis que pour ſe charger du reſte de nos Dépouilles ; et le Maltois fidele et vertueux, fut reduit à envier le Traitement du Maltois rebelle et criminel. Que ne pouvons nous pas dérober à nos Deſcendans le ſouvenir d'une Capitulation, qui bleſſa nos Droits et nous rendit malheureux. Il eſt vrai que la Preſence de Monſieur le Capitaine Ball, auquel nous portâmes, dans le tems nos Plaintes, contribuerent beaucoup à nous faire oublier nos Sacrifices ; mais les Viciſſitudes n'ayant pas ſécondeés nos Attentes ni nos Beſoins, nous ne pouvons pas vous diſſimuler, Monſeigneur, les fâcheuſes Impreſſions que les Preliminaires de la Paix nous ont fait faire d'un Gouvernement, auquel nous voudrions toujours donner des preuves de notre Attachement, nôtre Fidélité, et notre Préference.

Nous ſavons, Monſeigneur, qu'il ne nous eſt pas donné d'influencer les Opérations politiques. La Nature a mis Malte pour être conſiderée par ſa Situation et ſa Force, et non pour en dicter des Arrangemens. Mais il eſt encore de la Politique de ne pas oublier ſa nombreuſe Population.

La

La Ruſſie, la France, ainſi que toutes les autres Puiſſances de l'Europe, ſont trop juſtes et trop éclairées pour cenſurer la Démarche des Maltois, et leur Oppoſition au Rétabliſſement d'un Ordre, qui par ſon Deſpotiſme, ſa Defection, et ſa Corruption des mœurs, ne pourra jamais inſpirer la Confiance et réconcilier les Eſprits.

Neanmoins, Monſeigneur, ſi par des Circonſtances inévitables et impérieuſes, il faut que le Peuple Maltois eſſuye la Peine et le Chagrin d'être détaché de l'Empire de Sa Majeſté Britannique, et que pour la Tranquillité de toute l'Europe, il faut que les Iſles de Malte et Goze ſoient dans un E tat de Neutralité, nous vous prions, Monſeigneur, au Nom des nos Commettans et de tout ce qu'il y a de plus cher et ſacré parmi les Hommes, au Nom de toute loi divine et humaine, au Nom du Droit des Gens et de la Juſtice, de vouloir bien ſupplier Sa Majeſté Britannique pour qu'elle Se daigne employer ſon efficace et puiſſante Médiation auprès des autres Puiſſances, afin que les Iſles de Malte et Goze ſoient laiſſées dans leur Independence ſous la Garantie mutuelle de la Grande Bretagne et de la France, et non pas conſiderées comme un Pays conquis, après que leurs Habitans ont versé leur Sang, et dépensé leurs Subſtances.

Vous ſentez bien, Monſeigneur, qu'en Qualité de Députés, nous ne pouvons pas nous diſpenſer de mettre ſous les Yeux de votre Excellence les Vœux et les Intentions de notre Nation. En citant une Partie des Crimes de l'Ordre de St. Jean de Jéruſalem, nous n'avons pas prétendu epancher ſeulement nos Cœurs, mais juſtifier, en Face de tout l'Univers, notre eternelle Oppoſition et vigoureuſe Réſiſtance, s'il oſera jamais reparoître dans nos Foyers encore baignés du Sang qu'il a fait couler.

Daigner, Monſeigneur, employer votre Crédit auprès de Sa Majeſté Britannique en faveur de la Juſtice, de la Vérité, de l'Humanité, et d'une Nation digne d'un autre Sort ; et agréez, s'il vous plaît, l'Hommage d'un Dévouément le plus reſpectueux avec lequel nous avons l'Honneur d'être,

Monſeigneur,

Vos très humbles

Et très obéiſſans Serviteurs,

(Signé) *Le Marquis Marius Teſtaferrata.*
L'Abbé Emmanuel Ricaud.
L'Abbé Pierre Mallia.
Ph. Caſtagna, Lieut. des Villes, &c.
Antoine Mallia, Jurat du Goze.
Michel Cachia, Repreſentant.

Ce 1er Mars, 1802.
No. 7, Upper Berkeley Street.

Tranſlation of a Letter from the MALTESE DEPUTIES to Lord HOBART; dated 1ſt March 1802.

The Deputies ſent on the Part of the Extraordinary Congreſſes held at Malta and Gozo, conſiſting of the Heads of Batallions and Repreſentatives of the ſeveral Villages, have the Honour to lay before Lord Hobart, Miniſter of His Britannic Majeſty for the Department of War, the following Memoir, conformably to the Inſtructions which they received from their Conſtituents the 9th November 1801.

MY LORD,

IT is with the moſt lively Grief and the utmoſt Surpriſe that the Malteſe People have been informed of the ſevere and unmerited Fate which awaits them, in the Return of the Order of St. John of Jeruſalem to the Iſlands of Malta and Gozo. The Defection and Treachery of which that Order became guilty, will form an Æra in the Annals of the World, as ſtriking as that which now replaces us under its deſpotic Dominion, notwithſtanding that it betrayed us to an Army unfaithful to its Promiſes and Engagements. The Judgment which Poſterity will pronounce upon this Tranſaction, will be no Panegyric on the Age in which we live; and we anticipate the Complaints and the Reproaches which our lateſt Deſcendants will direct againſt us, if a baſe Timidity ſhould induce us to be ſilent before the juſt and magnanimous Tribunal, at which we have the Benefit of appealing.

We refrain from alledging the Motives, which would juſtify our Reſentment towards the Order of St. John of Jeruſalem. The Blood that has been ſhed; the Deaths of Twenty Thouſand of our Fellow Citizens, in conſequence of the greateſt Diſtreſſes; the Expences incurred during the firſt Months of the Revolution, for the Support of our Batallions, and the Loſs of Six Millions of Crowns, ſufficiently refute the atrocious Calumnies with which the Author of the *Anſwer to the Manifeſto of the Priory of Ruſſia* has endeavoured to load us. The Falſhood confutes itſelf; ſince it was notorious to every one, that the Plan of the Invaſion of Malta was projected at Paris, and that it was entruſted to the firſt Knights of the Order reſident at Malta. They continually received Letters written in Cypher, without exciting any Alarm either in the late Grand Maſter de Rohan, or in the Grand Maſter Hompeſch.

After

After theſe irrefragable Facts, judge, My Lord, whether the Malteſe People will ſee, without Aſtoniſhment, and with Indifference, the Authors of their Misfortunes returning into their Country, to diſpoſe of their Intereſts? If we ourſelves were willing to keep Silence, the Aſhes, ſtill warm, of thoſe who died to free and conquer their native Land, would cry out to us more effectually to defend our Rights and the Cauſe of Truth.

Yes, My Lord, we dare to affirm, that the Knights of St. John of Jeruſalem cannot be re-eſtabliſhed in Malta, without invading the juſt Rights of the auguſt Deſcendants of Charles the Fifth, and the Rights of the Malteſe, and expoſing the latter to new Convulſions. The Malteſe People, diſtinguiſhed of old for their Fidelity by their ancient Sovereigns, have been equally diſtinguiſhed in theſe late Times by their Energy and their Love for Juſtice. They eaſily ſacrifice their Reſentments, but they require that their Sacrifices ſhould be acknowledged. In Proof of which, My Lord, permit us to recall to you, the quiet Submiſſion which the Malteſe diſplayed in the Capitulation made by the Engliſh General with Monſieur Vaubois. Our Blood, our Labours, our Rights, and all our Intereſts, were either forgotten or deſpiſed. We beheld, with an exemplary Calmneſs, commanding Reſpect in thoſe who witneſſed it, the French lay down their Arms upon the Glacis, only to load themſelves with the Remainder of our Spoil; ſo that the faithful and virtuous Malteſe was reduced to a Condition to envy the Lot of the guilty and rebellious. Would we could withhold from our Deſcendants, the Knowledge of a Capitulation, which wounded our Rights and rendered us unhappy! It is true, that the Preſence and the Wiſdom of Captain Ball, to whom we then preferred our Complaints, contributed much to the Alleviation of our Diſtreſſes; but as ſubſequent Events have neither ſeconded our Expectations or our Wants, we cannot conceal from you, My Lord, the unfavourable Impreſſions which the Preliminaries of Peace have given us, of a Government, to which we have always been deſirous to prove our Attachment, our Fidelity, and our Preference.

We know, my Lord, that it is not for us to influence political Tranſactions. Nature has deſtined Malta to be determined by Relation to its Poſition and its Strength, and not to decide on its own Arrangements. But it is, nevertheleſs, for Policy to conſider its numerous Population. Ruſſia, France, and all the other Powers of Europe, are too juſt and too enlightened to condemn the Conduct of the Malteſe, in their Oppoſition to the Re-eſtabliſhment of an Order, which, by its Tyranny,

Tyranny, Treachery, and Corruption, is for ever incapable of inſpiring Confidence, or of conciliating the Minds of the People.

If therefore, my Lord, the People of Malta are doomed, by inevitable and imperious Circumſtances, to endure the Pain and Affliction of being ſeparated from the Empire of His Britannic Majeſty, and if the Tranquillity of Europe demands that the Iſlands of Malta and Gozo ſhould be placed in a Condition of Neutrality, we entreat you, my Lord, in the Name of our Conſtituents, and of every Thing moſt dear and ſacred among Men, in the Name of the Rights of Natjons and of Juſtice, to beſeech His Britannic Majeſty to vouchſafe to employ His efficacious and powerful Mediation with the other Powers, in order that the Iſlands of Malta and Gozo may be left in the Enjoyment of their Independence, under the mutual Guarantee of Great Britain and France, and not be treated as a conquered Country after that their Inhabitants have ſpilt their Blood and exhauſted their Subſtance in its Defence.

You muſt be ſenſible, my Lord, that, in our Quality of Deputies, we could not avoid ſubmitting to Your Excellency the Wiſhes and the Intentions of our Nation. In citing a Part of the Crimes of the Order of St. John of Jeruſalem, we have not merely ſought to give Vent to our Feelings, but to juſtify, in the Face of the whole Univerſe, our eternal Oppoſition and vigorous Reſiſtance to it, ſhould it ever dare to appear again amidſt our Hearths, ſtill wet with the Blood which it has cauſed to flow.

Deign, my Lord, to employ your Credit with His Britannic Majeſty, in favour of Juſtice, of Truth, of Humanity, and of a Nation worthy of a different Fate; and accept, if you pleaſe, the Homage of the moſt reſpectful Devotion, with which we have the Honour to be,

My Lord,

Your moſt humble and

moſt obedient Servants,

Le Marquis Teſtaferrata.
L'Abbé Emanuel Ricaud.
L'Abbé Pierre Mallia.
Ph. Caſtagna, Lieut. des Villes, &c.
Antoine Mallia, Jurat du Goze.
Michel Cachia, Repreſentant.

1ſt March 1802.
Upper Berkley-Street, No. 7.

(No. 2.)

Copy of a Letter from the MALTESE DEPUTIES to Lord HOBART; dated the 2d April 1802.

Monſeigneur,

LES Députés des Iſles de Malte et Goze ont l'Honneur de repreſenter à votre Excellence, les plus ſenſibles Remercimens pour tout ce qu'elle a daigné faire en faveur de leur Nation. Nous n'ignorons pas, Monſeigneur, les Obſtacles qu'il vous a fallu ſurmonter pour faire aſſurer la Tranquillité et le Bonheur de notre Pays. La Defenſe que vous avez bien voulu en prendre eſt digne de la Loyauté et Magnanimité de votre Nation. N'ayant pu avoir l'Honneur diſtingué de faire Part de l'Empire de Sa Majeſté Britannique, par une fidèle Soumiſſion, nous aurons celui d'en être toujours unis par une affectueuſe Reconnoiſſance.

En tranſmettant à nos derniers Neveux l'Hiſtoire de notre Revolution, nous leur racconterons que ſans les Secours de la Grande Bretagne notre Perte eût été inévitable, et la Date de notre Bonheur ſera la Date de la Protection dont votre Excellence nous a honoré.

Nous vous prions, Monſeigneur, de nous permettre, dans un Tems favourable, de mettre ſous vos yeux ce qui pourra achever la Felicité de la Nation Maltoiſe; et d'agréez, s'il vous plâit, l'Hommage de la plus vive Reconnoiſſance, et reſpectueux Devouêment avec lequel nous avons l'Honneur d'êtere,

Monſeigneur,
Votre très humbles, et
très obeiſſans Serviteurs,

(Signé) *Le Marquis Teſtaferrata*,
L'Abbé Mallia, Deputé,
L'Abbé Ricaud, Deputé,
Antoine Mallia, Deputé,
Ph. Caſtagna, Lieut. et Deputé,
Michel Cachia, Deputé.

A S. E. Milord *Hobart*,
Miniſtre de S. M. B.

Londres, 2 Avril 1802.

Tranſlation of a Letter from the MALTESE DEPUTIES to Lord HOBART; dated 2d April 1802.

MY LORD,

THE Deputies of the Iſlands of Malta and Gozo, have the Honour of preſenting to your Excellency, the warmeſt Thanks for all that you have deigned to do in favour of their Nation. We are not ignorant, My Lord, of all that you muſt have had to overcome, in order to inſure the Tranquillity and the Happineſs of our Country. The Defence of it, which you have been pleaſed to undertake, is worthy the Loyalty and Magnanimity of your Nation. Being unable to have the Honour of forming a Part of the Empire of His Britannic Majeſty, by a faithful Submiſſion, we ſhall have that of being always united to it by an affectionate Gratitude.

In tranſmitting to our lateſt Deſcendants the Story of our Revolution, we ſhall tell them, that, without the Aſſiſtance of Great Britain, our Ruin muſt have been inevitable; and the Date of our Happineſs will be the Date of the Protection with which Your Excellency has honoured us.

We entreat you, My Lord, to permit us, at a ſeaſonable Opportunity, to lay before you that, which would complete the Felicity of the Malteſe Nation; and to accept, if you pleaſe, the Homage of the lively Gratitude and reſpectful Devotion, with which we have the Honour to be,

My Lord,
Your moſt humble, and
moſt obedient Servants,
(Signed)

Le Marquis Teſtaferrata,
L'Abbé Mallia, Député,
L'Abbé Ricaud, Député,
Antoine Mallia, Deputé,
Ph. Caſtagna, Lieut. & Député.
Michel Cachia, Député.

To H. E. Lord *Hobart,*
Miniſter of H. B. M.

London, 2d April 1802.

(No. 3.)

Minute of the Meaſures taken reſpecting M. Chépy.

ON the 14th of November 1802, a Letter was written, by Sir George Shee, under Lord Pelham's Direction, to General Gordon, commanding at Guernſey; which ſtated, that His Majeſty had refuſed to allow any of the Perſons ſtiling themſelves "Commiſſaries of Commercial Relations," to exerciſe any of the Functions appertaining to that Office within His Majeſty's Dominions. On the 5th of February 1803, General Gordon was inſtructed to repreſent to Mr. Chépy, that as none of the Commiſſaries of Commercial Relations had been permitted to proceed to the Places of their Deſtination, and that ſome of them had actually returned to France, it would be adviſable for him alſo to repair to that Country. —On the 9th of March following, General Gordon was directed to order Mr. Chépy to quit Guernſey without Delay, if he had not already taken his Departure from it.

STATEMENTS

OF THE REVENUE AND EXPENDITURE OF THE ISLANDS OF

MALTA AND GOZO,

FOR THE YEARS

1817 AND 1818.

Colonial Department,
30 December 1819.

HENRY GOULBURN.

Ordered, by The House of Commons, *to be Printed,*
30 *December* 1819.

STATEMENT OF THE REVENUE AND EXPENDITURE OF THE ISLANDS OF

INCLUDING ARREARS RECEIVED

	Scudi. Tar. Gra.	Scudi. Tar. Gra.	Scudi. Tar. Gra.
REVENUE:			
Land Revenue	375,301 1 17		
Chief Secretary's Office, including Printing and Post Offices	37,618 10 —		
Sea Customs	181,072 8 12		
Port Dues and Duties	43,235 3 15		
Excise on Wines and Spirits	114,805 10 17		
Judicial Receipts	68,378 3 17		
Vendue Office	16,635 1 3		
Quarantine	87,523 2 13		
		924,570 6 14	
Profit on Sales of Grain and other transactions of the Universita, being the Average of the Profits for four years, after deducting all Charges of Management		263,589 2 16	
Arrears of Duty on Maritime Contracts, &c. to 31 December 1815, recovered from the Public Notaries		11,880 11 15	
IN ALL, REVENUE			*Scudi* 1,200,040 9 5

MALTA AND GOZO, FROM 1 JANUARY TO 31 DECEMBER 1817;

OR PAID WITHIN THAT PERIOD.

	Scudi. Tar. Gra.	Scudi. Tar. Gra.	Scudi. Tar. Gra.
EXPENDITURE:			
Pay and Salaries;			
Civil Establishment	266,919 1 9		
Revenue Establishment, including Civil Artificers	90,270 8 3		
Judicial Establishment, including Marine Police	110,340 8 —		
Quarantine Establishment	40,271 — —		
In All, Pay and Salaries		507,801 5 12	
Contingencies;			
Civil	126,129 2 7		
Revenue, including Repairs of Public Buildings, &c.	75,452 8 16		
Judicial	40,832 5 11		
Quarantine	29,061 3 5		
In All, Contingencies		271,475 7 19	
			779,277 1 11
Disbursements by the Agent in England, £.2,018. 16. a' 11 *Scudi* per £.*St*ᵍ			22,206 9 12
Burthens on the Profits of the Universita;			
Charitable Institutions		174,322 1 —	
University of Literature		6,227 3 5	
Interest on Ancient Loans now bearing 2½ per cent. per annum		30,917 — —	
In All, Burthens on the Profits of the Universita			211,466 4 5
In All, CIVIL EXPENDITURE			1,012,950 3 8
MILITARY EXPENDITURE;			
Royal Malta Fencibles			110,769 1 12
TOTAL EXPENDITURE			1,123,719 5 —
Leaving a SURPLUS OF REVENUE, of			76,321 4 5
		Scudi	1,200,040 9 5

STATEMENT OF THE REVENUE AND EXPENDITURE OF THE ISLANDS OF

INCLUDING ARREARS RECEIVED

	Scudi. *Tar.* *Gra.*	*Scudi.* *Tar.* *Gra.*	*Scudi.* *Tar.* *Gra.*
REVENUE:			
Land Revenue	362,418 6 1		
Chief Secretary's Office, including Printing and Post Offices	37,579 6 7		
Sea Customs	188,239 9 9		
Port Dues and Duties	42,243 3 5		
Excise on Wines and Spirits	129,355 3 10		
Judicial Receipts	64,682 11 3		
Vendue Office	19,972 4 4		
Quarantine	82,323 8 1		
		926,815 4 —	
Profit on Sales of Grain, and other transactions of the Universita, being the average of the Profits for four years, after deducting all Charges of Management		263,589 2 16	
Arrears of Duty on Maritime Contracts, &c. to 31 December 1815, recovered from the Public Notaries		1,295 5 10	
IN ALL, REVENUE			*Scudi* 1,191,700 — 6

MALTA AND GOZO, FROM 1 JANUARY TO 31 DECEMBER 1818;

OR PAID WITHIN THAT PERIOD.

	Scudi. *Tar.* *Gra.*	*Scudi.* *Tar.* *Gra.*	*Scudi.* *Tar.* *Gra.*
EXPENDITURE:			
Pay and Salaries;			
Civil Establishment	290,792 6 11		
Revenue Establishment, including Civil Artificers	97,112 6 5		
Judicial Establishment, including Marine Police	125,406 5 9		
Quarantine	36,248 — —		
In All, Pay and Salaries		549,559 6 5	
Contingencies;			
Civil	94,896 8 13		
Revenue, including Repairs of Public Buildings, &c.	98,636 10 11		
Judicial	39,283 9 16		
Quarantine	27,525 11 18		
In All, Contingencies		260,343 4 18	
			809,902 11 3
Disbursements by the Agent in England, £. 3,599. 10. 11. at 11 *Scudi* per £.*St*ᵍ		- - -	39,595 — 4
Burthens on the Profits of the Universita;			
Charitable Institutions		185,647 3 4	
University of Literature		6,504 9 7	
Interest on Ancient Loans, now bearing 2½ per cent. per annum		30,917 — —	
In All, Burthens on the Profits of the Universita			223,069 — 11
In All, CIVIL EXPENDITURE			1,072,566 11 15
MILITARY EXPENDITURE;			
Royal Malta Fencibles			90,810 1 13
TOTAL EXPENDITURE			1,163,377 1 8
Leaving a SURPLUS of REVENUE, of			28,322 10 18
		Scudi	1,191,700 — 6

Colonial Department,
30 December 1819.

HENRY GOULBURN.

STATEMENTS

Of the Revenue and Expenditure of the Islands of

MALTA AND GOZO,

FOR THE YEARS

1817 AND 1818.

Ordered, by The House of Commons, *to be Printed,*
30 *December* 1819.

RETURN OF CIVIL OFFICES EXCEEDING £. 150 PER ANNUM

SALARY AND EMOLUMENTS,

HELD IN THE ISLANDS OF MALTA AND GOZO,

For the Year ending the 31st October 1819:

ALSO,

LIST OF THE MILITARY STAFF EMPLOYED IN THE ISLAND OF MALTA, IN 1818.

Ordered, by The House of Commons, *to be Printed,*
25 *February* 1820.

RETURN OF CIVIL OFFICES EXCEEDING ONE HUNDRED AND HELD IN THE ISLANDS OF MALTA AND GOZO,

NAMES OF OFFICERS.	SITUATIONS.	DATES of Appointment to present Situation.	BY WHOM APPOINTED.
Lieutenant General the Right honourable Sir Thomas Maitland, G. C. B. &c. &c. &c.	Governor, &c.	23 July 1813.	King's Commission
Major General Sir Manley Power, K. C. B.	Lieutenant Governor during the absence of his Excellency the Governor	-	Acting under the King's Commission, being senior officer in the Island
Lieutenant Colonel Sir Frederick Hankey	Private Secretary to the Governor	1 Oct. 1817.	His Excellency the Governor
Dr. Claudio V. Bonnici	Crown Advocate	13 Oct. 1817.	D°
William Wright	Crown Solicitor	Nov. 1815.	D°
	Secretary to the President of His Majesty's High Court of Appeal	1 January 1819.	D°
	Joint Secretary in matters of Bankruptcy	14 Nov. 1815.	D°
	One of the Commissioners for taking Evidence	30 August 1815.	D°
Major General Sir Henry Bunbury, K. C. B.	Agent for the Island in England	22 January 1813.	His Majesty's Civil Commissioner
Commanding Royal Engineer	In lieu of the advantages usually accruing in fortified places, and for extra services in the superintendence of public works *	-	His Majesty's Secretary of State
John Cast[s] Miller	Chaplain to Government	2 Dec. 1814.	His Excellency the Governor
Office of the Chief Secretary to Government:			
Sir Richard Plasket	Chief Secretary to Government	21 June 1817.	His Majesty's Secretary of State for the Colonial Department
William Sim	First Assistant in the Office of the Chief Secretary to Government	19 March 1817.	His Excellency the Governor
Vincenzo Mamo	Second - - D° - - D°	15 June 1813.	D°
	Registrar of the Supreme Council of Justice	6 July 1813.	D°
Ed[d] Francis Phillips	Third Assistant in the Office of the Chief Secretary to Government	1 January 1819.	D°
Henry Harper	Superintendent of the Printing Office, and Editor of the Government Gazette	1 June 1819.	D°
Robert M[c]Nab	Superintendent of the Government Post Office	19 March 1817.	D°
	Agent for His Majesty's Packets	28 January 1817.	His Majesty's Postmasters General
Office of Treasurer to Government:			
Robert W[m] St. John, Esq.	Treasurer	28 Jan. 1817.	His Majesty's Secretary of State for the Colonial Department
Vincenzo Casolani	Cashier of the Treasury	1 January 1807.	His Majesty's Civil Commissioner
Office of Auditor of Public Accounts:			
James Toole, Esq.	Auditor	23 Nov. 1814.	His Excellency the Governor
Office of Collector of Sea Customs:			
Francis Muller	Collector	1 Sept. 1814.	His Excellency the Governor
John Lewis Reinaud	Comptroller	25 Oct. 1817.	D°
Charles Godfrey	Chief Clerk in the Custom House	1 Nov. 1816.	D°
Office of Captain of the Port and Intendant of the Marine Police:			
William Symonds	Captain of the Port and Intendant of Marine Police	20 June 1819.	His Excellency the Governor
Henry St. John	First Assistant to D°	1 March 1814.	D°
Gioacchino Rossi	Assistant	1 March 1814.	D°
Antonio Inglott	D°	1 March 1814.	D°
Office of Superintendent of Quarantine:			
Robert Grieves, Esq.	Superintendent	8 July 1813.	His Majesty's Secretary of State for the Colonial Department
Gio. Batta Schembri	Captain of the Port	1 May 1814.	His Excellency the Governor
Filippo Pulis	D° - of the Lazaretto	1 May 1814.	D°

FIFTY POUNDS PER ANNUM, SALARY AND EMOLUMENTS,

FOR THE YEAR ENDING THE 31ST OCTOBER 1819.

Office whether executed by Principal or Deputy.	ANNUAL SALARIES: £. s. ds.	*Sterling*, or *Currency*.	FEES on an average for the last three years, in Currency. £. s. ds.	OBSERVATIONS.
Principal -	5,000 — —	Sterling.		
- - -	1,000 — —	Sterling.		
Principal -	500 — —	Sterling.		
- D° -	300 — —	Currency.		
- D° -	- - -	£.100 Currency.		
- D° -	300 — —	£.200 Sterling.		
- D° -	- - -	- - -	170 9 —	
- D° -				
- D° -	600 — —	Sterling.		
- D° -	365 — —	D°	- - -	(* See the *N. B.* at the end.)
- D° -	300 — —	D°		
- D° -	1,500 — —	D°	- - -	Member of the Supreme Council of Justice, and Commissioner for the trial of Piratical Offences, without Salary or Emolument.
- D° -	500 — —	Currency.		
- D° -	300 — —	Sterling.		
- D° -	- - -	- - -	132 2 10	
- D° -	300 — —	Currency.		
- D° -	300 — —	D°		
- D° -	150 — —	Sterling.		
- D° -	150 — —	D°	- - -	Paid at Home by His Majesty's Postmaster General.
- D° -	1,000 — —	D°	- - -	Commissioner for the trial of Piratical Offences, without Salary or Emolument.
- D° -	500 — —	Currency.	- - -	Commissary of the Monte di Pietà, without Salary or Emolument.
- D° -	273 15 —	Sterling.		
- D° -	500 — —	Currency.		
- D° -	400 — —	D°	- - -	Sitting Magistrate for the three Cities, without Salary or Emolument.
- D° -	250 — —	D°		
- D° -	500 — —	D°	- - -	Sitting Magistrate for the Ports, without Salary or Emolument.
- D° -	216 — —	D°		
- D° -	180 — —	D°		
- D° -	180 — —	D°		
- D° -	800 — —	Sterling.		
- D° -	240 — —	Currency.		
- D° -	252 — —	D°		

(*continued.*)

NAMES OF OFFICERS.	SITUATIONS.	DATES of Appointment to present Situation.	BY WHOM APPOINTED.
Officer of Collector of Port Dues and Duties:			
Saverio Tortell	Collector	1 January 1812.	His Majesty's Civil Commissioner
Office of Collector of His Majesty's Land Revenue:			
Hector Greig, Esq.	Collector	28 July 1814.	His Excellency the Governor
John Mackenzie	Deputy Collector	27 June 1815.	Do
Matteo Bonavia	Superintendent of the Public Works	1 August 1814.	Do
Office of Collector of Excise on Wines and Spirits:			
Giuseppe Trapani	Collector	1 January 1812.	His Majesty's Civil Commissioner
Vendue Office:			
Edward Dalzel	Vendue Master	-	His Excellency the Governor
Judicial Establishment:			
Waller Rodwell Wright	President of His Majesty's High Court of Appeal	1 January 1819.	His Excellency the Governor
	Deputy in the Office of Vice Admiral	-	Do
Charles Fred. Raitt	Registrar of the Court for the trial of Piratical Offences	1 January 1819.	Do
	Joint Secretary in matters of Bankruptcy	-	Do
Sir Jos. Niccolo Zammitt, LL. D.	Judge, and as late Auditor of the Segnatura	27 May 1814.	Do
Vincenzo Bonavita, LL. D.	Judge	Do	Do
Gius. Calced. Debono, LL. D.	Do	Do	Do
Salvatore Chapelle, LL. D.	Do	Do	Do
Lorenzo Caruana, LL. D.	Do	Do	Do
Agostino Randon, LL. D.	Do	26 June 1817.	Do
Sir Raphael C. Xerri	As late Auditor of the Segnatura	26 May 1814.	Do
Office of Inspector General of Police:			
L[t] Col. Francis Rivarola	Inspector General of Police *	3 July 1813.	His Majesty's Civil Commissioner
	L[t] Col. Commanding Malta Fencibles	20 January 1816.	His Excellency the Governor
Dr. Luigi Gravagna	Police Surgeon	1 Sept. 1814.	Do
Judicial Police:			
John Locker, Esq.	First Magistrate	25 October 1818.	Do
D. George Ogilvie	Sitting Magistrate	19 July 1814.	Do
,, Giuseppe Zahra	Do	Do	Do
,, Giuseppe Muscat	Do	Do	Do
,, Niccolo Letard	Do	Do	Do
Office of Collector of Judicial Receipts:			
Filippo Castagna	Collector	24 June 1815.	Do
Markets in Malta:			
Dr. Bartolomeo Scifo	Magistrate	1 January 1819.	Do
	GOZO:		
Major Henry Vernon, of His Majesty's 36th Regiment	Acting Commandant *	5 April 1819.	His Excellency the Governor
James Somerville	Collector of Land Revenue and Magistrate of Judicial Police	7 March 1818.	Do
Board of Supply:			
James Wilson	Commissioner	1 January 1819.	His Excellency the Governor
W[m] Henry Thornton	Do	Do	Do
George Ward	Do	Do	Do
Charles Harper	First Clerk	Do	Do
Charitable Institutions.—Permanent Committee:			
Can. Saverio Caruana	Member of the Permanent Committee, late Almoner, and Rector of the University of Literature	15 January 1816.	His Excellency the Governor
Rev. John Thomas Howe Le Mesurier	Member of the Permanent Committee	Do	Do
Charles Tucker	Do	11 June 1817.	Do
Civil Hospital:			
Richard Cleave	Purveyor	25 June 1815.	Do
Edward Jafferson	Clerk	Do	Do

Colonial Department,
February 23d, 1820.

Office whether executed by Principal or Deputy.	ANNUAL SALARIES. £. s. ds.	ANNUAL SALARIES. *Sterling*, or *Currency*.	FEES on an average for the last three years, in Currency. £. s. ds.	OBSERVATIONS.
Principal -	240 — —	Currency.		
- D° -	500 — —	Sterling.		
- D° -	305 — —	Currency.		
- D° -	200 — —	D°		
- D° -	180 — —	D°		
- D° -	- - -	- - -	92 6 7	When the Vendue Master's Fees of Office do not amount to £. 200 Currency, the deficiency is made up from the Treasury of Government.
- D° -	1,500 — —	Sterling.		
- D° -	- - -	- - -	7 8 6	
- D° -	100 — —	Currency.		
- D° -	- - -	- - -	170 9 —	
- D° -	692 — —	Currency.	- - -	Member of the Supreme Council of Justice, without Salary or Emolument.
- D° -	500 — —	D°		
- D° -	500 — —	D°		
- D° -	500 — —	D°		
- D° -	500 — —	D°		
- D° -	500 — —	D°		
- D° -	384 — —	D°	- - -	Member of the Supreme Council of Justice, and President of the Monte di Pietà, without Salary or Emolument.
- D° -	708 10 —½	D°	- - -	(* See the *N. B.* at the end.)
- D° -	168 — —	D°		
- D° -	400 — —	D°		
- D° -	250 — —	D°		
- D° -	250 — —	D°		
- D° -	150 — —	D°		
- D° -	150 — —	D°		
- D° -	200 — —	D°		
- D° -	240 — —	D°		
- D° -	291 5 —	D°	- - -	(* See the *N. B.* at the end.)
- D° -	300 — —	D°		
- D° -	500 — —	Sterling.		
- D° -	500 — —	D°		
- D° -	300 — —	D°		
- D° -	216 — —	Currency.		
- D° -	220 — —	Currency.		
- D° -	206 8 —	D°		
- D° -	206 8 —	D°		
- D° -	206 8 —	D°		
- D° -	156 — —	D°		

N. B.—THERE are no regular Military Staff Officers attached to the Islands of Malta and Gozo. The only Military Officers receiving pay from the Civil Government are those holding the Offices of Inspector General of Police, Commanding Officer of Engineers, and Commandant and Chief Civil Officer in Gozo;—as above specified in this List, and marked with an asterisk.*

Richard Plaskett,
Chief Sec. to Government.

HENRY GOULBURN.

LIST OF THE

MILITARY STAFF EMPLOYED IN THE ISLAND OF MALTA IN 1818.

RANKS OF OFFICERS.	NET PAY for 365 Days	Colonial Allowances.	TOTAL Pay and Allowances.	
	£. s. d.		£. s. d.	
1 Major General	691 19 7			
1 Aide de Camp	173 7 6			
1 Deputy Adjutant General	346 15 —			Paid by Deputy Paymaster General.
1 Deputy Assistant Quarter Master General	173 7 6			
1 Major of Brigade	173 7 6			
1 Chaplain	292 — —	None.		
1 Inspector of Hospitals	691 19 7			
2 Surgeons each 260*l.* 1*s.* 3*d.*	520 2 6			
1 Apothecary	173 7 6			
4 Assistant Surgeons and Hospital Assistants, each 136*l.* 17*s.* 6*d.*	547 10 —			
1 Purveyor's Clerk	109 10 —			
TOTAL £.	3,893 6 8	£.	3,893 6 8	

Colonial Department,
February 23d, 1820.

HENRY GOULBURN.

RETURN OF CIVIL OFFICES

Exceeding £. 150. per annum, Salary and Emoluments,

held in the

ISLANDS OF MALTA AND GOZO,

For the Year ending the 31st October 1819:

ALSO,

LIST OF THE MILITARY STAFF

Employed in the Island of *Malta* in 1813.

Ordered, by The House of Commons, *to be Printed,*
25 *February* 1820.

KNIGHTS OF MALTA.

RETURN to an Address of the Honourable House of Commons, dated 2d February 1821;—*for*,

A Return of the Knights and Canonesses of the Order of MALTA, who receive Pensions from this Country; with a Statement of the Country to which they belong; whether they are married; and if they received Salaries from the Revenues of the Island of Malta at the time of its Capture by the British Forces:—Viz.

A LIST, SPECIFYING THE NAMES OF THE KNIGHTS AND CANONESSES OF THE ORDER OF MALTA, WHO RECEIVE PENSIONS FROM THIS COUNTRY.

Commandeur - - - -	de Balathier.
——	de Thuisy.
——	de Fitzames.
Le Chevalier - - - -	Charles de Thuisy.
——	de Sade.
——	de Mesnard.
——	de Valori.
——	de St. Martin.
——	le Clerc.
——	de Choiseul.
——	de Barde.
——	de la Bourdonnaye de Blossac.
——	Auguste D'Orfeuille.
——	A. E. D'Orfeuille.
——	I. G. H. D'Orfeuille.
——	de Pontcairé.
——	George de Thuisy.
——	Emmanuel de Thuisy.
——	Auguste de Thuisy.
——	Dutheil.
Chanoinesse - - - -	D'Orfeuille.
——	Comtesse de Cordon.

IT is not known to the Paymaster of these Pensions, whether the above Persons are married, of what Countries they are natives, or whether they received Salaries from the Revenues of the Island of Malta, at the time of its Capture by the British Forces.

W. HOWARD,
Paymaster.

Hyde Park Corner,
8th February 1821.

KNIGHTS OF MALTA.

RETURN to an Address of the Honourable House of Commons, dated 2d February 1821;—*for*,

A Return of the Knights and Canonesses of the Order of Malta, who receive Pensions from this Country; with a Statement of the Country to which they belong; whether they are married; and if they received Salaries from the Revenues of the Island of Malta at the time of its Capture by the British Forces:—*viz.*

A LIST, specifying the Names of the Knights and Canonesses of the Order of Malta, who receive Pensions from this Country.

Ordered, by The House of Commons, *to be Printed*,
22 *February* 1821.

MALTA.

RETURNS to Two Addresses of the Honourable The House of Commons, dated 17th August 1835;—*for*,

RETURNS of the Names of, and Appointments held by, the MEMBERS of the COUNCIL OF GOVERNMENT of *Malta*:—Of the Salaries of all Persons employed under GOVERNMENT in *Malta*, from the time when the Island was taken possession of by the *English*, in the Year 1800, to the End of the Year 1834; stating the Amount of all Salaries in every Year:—Of all Pensions allowed by the BRITISH GOVERNMENT to *Maltese*, Natives of *Great Britain* and Foreigners, out of the Revenues of *Malta*, from the time when the Island was first taken possession of, in the Year 1800, to the End of the Year 1834; stating the Amount of all such Pensions in every Year:——*Also*,

RETURNS of all PURCHASES and SALES of GRAIN, and of all DUTIES collected on GRAIN, and of all the SALARIES, CHARGES and EXPENSES of the GRAIN DEPARTMENT at *Malta*, during the last Ten Years, inclusive; distinguishing each several Head of Receipt and Expenditure, and distinguishing each Year; together with an Estimate of the Annual Rental or Value of the Stores and Fosses devoted by Government to this Service, during the last Ten Years; as well as of the present Value of the Stock of Government Grain now remaining in store, specifying the Number of Salms, and when and where purchased:—Of the Sums collected through the CUSTOM HOUSE, during the last Ten Years inclusive; together with an Account of all Expenses of Collection; distinguishing the Amount of each Year, and of the several Articles on which the Duties were obtained:—Of the Sums collected through the EXCISE during the last Ten Years inclusive; together with an Account of all the Expenses of Collection; distinguishing the Amounts of each Year, and of the several Articles on which the Duties were obtained:—Of the Sums collected through the QUARANTINE DEPARTMENT during the last Ten Years inclusive; with an Account of the Salaries and Expenses of this Department; distinguishing each several Head of Receipt and Expenditure, and distinguishing each Year.

Colonial Department,
17 February 1836.

G. Grey.

(*Mr. Ewart.*)

Ordered, by The House of Commons, *to be Printed*,
19 *February* 1836.

SCHEDULE.

No I.—Copy of a Despatch from Lieut.-Colonel *Cardew*, Acting Lieutenant Governor of *Malta*, to Lord *Glenelg*, dated Malta, 26th November 1835, (with Three Enclosures.) - p. 3

Enclosure, No. 1 - - - - - - - - - - - - - - p. 3
Enclosure, No. 2 - - - - - - - - - - - - - - p. 4
Enclosure, No. 3 - - - - - - - - - - - - - - p. 4

No. II.—Copy of a Despatch from Lieut.-Colonel *Cardew*, Acting Lieutenant-Governor of *Malta*, to Lord *Glenelg*, dated Malta, 9th January 1836, (with Seven Enclosures) - - p. 5

Enclosure, No. 1.—Return of the Names of, and Appointments held by, the Members of the Council of the Government of *Malta* - - - - - - p. 5

Enclosure, No. 2.—Explanatory Statement by the Auditor General, transmitting Nine Returns of Salaries and Emoluments of the Offices of the Civil Government - p. 6

Return of Salaries, 1813 - - - - - - - - p. 10
Return of Salaries, 1816 - - - - - - - - p. 16
Return of Alterations, 1816–1825 - - - - - - p. 22
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Return of Salaries, 1834 - - - - - - - - p. 48
Comparative View of Salaries, 1813, 1816 to 1834 - - - p. 55
Names of Persons at or above £.150 a year, 1816–1834 - - p. 56
Indirect Emoluments, 31 December 1834 - - - - - p. 63
Salaries, &c. derived from Municipal or Private Funds, 31 Dec. 1834, p. 65

Enclosure, No. 3.—Return of all Pensions allowed by the *British* Government to *Maltese*, Natives of *Great Britain* and Foreigners, out of Revenues of *Malta*, from 1812 to 1834; stating Amount of all such Pensions in every year - p. 66

Enclosure, No. 4.—Letter of the Superintendent of Grain at *Malta*, dated 22d December 1835, in explanation of the Returns required from him; Return of all Purchases and Sales of Grain, and of all other Duties collected on Grain, and of all the Salaries, Charges and Expenses of the Grain Department at *Malta*, from 1825 to 1834, inclusive; together with Estimates of the Annual Rental or Value of the Stores and Fosses devoted by Government to that Service, for the same Period; and of the present Value of the Government Grain now remaining in store - - - - - - - p. 90

Enclosure, No. 5.—Statement of all Sums collected through the Custom House at *Malta*, between 1825 and 1834 inclusive; and of all Expenses of Collection, p. 96

Enclosure, No. 6.—Statement of all Duties collected by the Excise at *Malta*, between 1825 and 1834, inclusive of all Expenses of Collection - - - - p. 101

Enclosure, No. 7.—Return of the Sums collected in the Quarantine Department, from 1st January 1825 to 31st December 1834; and of the Salaries and Expenses thereof for the same Period - - - - - - p. 102

MALTA.

RETURNS of NAMES and APPOINTMENTS held by MEMBERS of COUNCIL OF GOVERNMENT; of SALARIES of all PERSONS employed under Government; and other Papers relative to *Malta*.

—No. I.—

COPY of a DESPATCH from Lieut.-Colonel *Cardew*, Acting Lieutenant-Governor of *Malta*, to Lord *Glenelg*, (with Three Enclosures.)

My Lord, Malta, 26th November 1835.

I have the honour to submit to your Lordship's consideration a Correspondence enclosed, between the Auditor General and the Government Secretary of Malta, from which will be seen that obstacles present themselves to the preparation of the Returns of Salaries required by the Resolution of the House of Commons of the 17th of August last, and the course proposed in consequence by the Auditor General, which I have sanctioned.

The whole of the Returns required will be transmitted by the next packet.

I have, &c.

G. Cardew,

Lt-Col. Rl Engineers, and Acts Lt-Governor.

Enclosure, No. 1 in No. I.

Sir, Audit Office, La Valletta, 14 November 1835.

With reference to your Letter of the 22d September last, communicating the desire of the honourable Acting Lieutenant-Governor that I should prepare, in conformity to a Resolution of the House of Commons, dated the 17th August of last Session, and transmit to you a Return of the salaries of all persons employed under Government in Malta, from the time when the Island was taken possession of by the English in the year 1800, to the end of the year 1834; I have the honour to state, that it will be impossible to have such a document completed, even to the extent which may now be found practicable, in readiness against the time when the next packet may be expected to sail for England.

Immediately on receiving the Acting Lieutenant-Governor's order, I took steps to ascertain whether, within a given space of time, it might not be possible to form the required statement for the early years of the British possession of these Islands; but I found the question for that period involved in such doubt and intricacy, as led me reluctantly to the conclusion that it must be abandoned, if the statement for the remaining years is to be ready for the next meeting of Parliament. I would at the same time respectfully submit, whether it can in any way be desirable that the preparation of the statement for those early years should ever be attempted, against the difficulty of hazarding a guess at the amount of emolument derived by many of the individuals employed, who, besides their direct stipends from Government, received fees from the public, of which, as but few of the parties survive, no estimate can at this day be formed; and the direct stipends themselves, not having been inserted in a regular schedule of establishment, could not, without a very elaborate proceeding, be stated with any degree of confidence as to total amount, from their being much dispersed through the accounts, sometimes hidden in totals of general expense, and sometimes deducted from collections

In the year 1808, however, the service began to assume an appearance of order, and improvement continued until July 1812, when a commission having been named by His Majesty to inquire into the affairs of Malta, schedules of establishment were formed, and estimates procured of various of those fees which still remained unconsolidated with direct emolument. From that time until the 5th May 1813, improvement went on, when it was suddenly arrested by the plague, which was announced on that day to have visited the Island. This calamity completely disturbed the order of public business, particularly as on the 5th October of the same year, while it still prevailed, the constitution of the Government of these Islands was changed; and at the end of another year, as the malady had in the meantime extended to Gozo, and the restoration of health was not finally declared before the 8th September 1814, the measures for re-organizing the service remained far from complete. From the 1st October of that year, the appointments of various offices were placed upon a schedule of establishment, and those of other offices, as they successively advanced to a state of readiness for the proceeding, were afterwards added, until the 1st January 1816, when the schedule assumed an appearance of completion.

From this point, then, I am now preparing the return of salaries, guiding myself by the terms of the Resolution of the House of Commons.

An implicit adherence to these terms, where practicable, is of course my business; but, while not departing from them, I consider it equally my duty to adapt the statement to what must naturally be one of the objects of the Resolution, namely, comparison; and as previously to the year 1825, when the Treasury Instructions commenced operation, the accounts do not show in a summary view the particular years to which the salaries relate, any statement hastily compiled from the accounts for those nine years, would be inconclusive on the score of comparison. Besides this difficulty, the classification of the accounts preceding the Treasury Instructions is far from perfect; both of which circumstances have rendered it necessary to the formation of the required statement, that I should minutely inspect the accounts of every department.

Desirous at the same time of supplying to the best of my means the defect for the early years, I am also preparing a return of the salaries and other emoluments, as nearly as can be stated or estimated, for the month of April 1813, the last, under the former constitution of the local government, in which the order of the accounts remained undisturbed.

These proceedings still continue to occupy almost exclusively my time; but I confidently expect to have it in my power to transmit the Returns to your office by the middle of next month.

It remains for me to add, that all military appointments will be excluded from the Returns, they having undergone so many changes in their mode of payment, whether between the Civil and Military Chests,

Chests, or the Maltese and Ionian Governments, that any statement of those borne by Malta in particular, separately from those defrayed by other branches of the Mediterranean service, would be altogether inconclusive, as regards a comparison of salaries distinct from general expenditure.

I have, &c.

The Hon. Sir Fred. Hankey, G. C. M. G.
Chief Secretary to Government, &c. &c. &c.

(signed) *W. H. Thornton,*
Auditor General.

Enclosure, No. 2, in No. I.

Sir,

Audit Office, La Valletta, 21st November 1835.

With reference to my Letter of the 14th instant, wherein I alluded to various difficulties which stood in the way of my attempt to prepare the Return of Salaries referred to in a Resolution of the House of Commons, dated the 17th August last, precisely in the terms required, so long as it might be desirable to have it in readiness for presentation at the next meeting of Parliament, and wherein I represented the modification which accordingly became necessary; I have now the honour to submit, for the approval of the Acting Lieutenant-Governor, the Plan which I have laid down, in order to furnish as perfect a statement of the thing required as the limits of time and information afford.

Instead of the single Return of Salaries suggested by the Resolution, I purpose to render several Returns, connected by an explanatory Statement, and to consist of,—

1. A Return, showing the annual rate and amount of all Salaries and other Emoluments derived by Persons holding situations in or under the Government of Malta, as borne on the 30th day of April 1813. (This was the last month under the former constitution of the Government, anterior to the disorganization occasioned by the breaking out of the plague.)
2. A similar Return for the 1st day of January 1816 (when the establishment under the new constitution of the Government was for the first time framed in an apparent state of completion.)
3. A Return, showing the alterations taken place in the amount of such Salaries and Emoluments, from the 1st January 1816 to the 31st December 1834; distinguishing the proportion for each year.
4. A Return for the 31st day of December 1834, similar to Return No. 2.
5. A Comparative View for the the twenty-one points of time shown by the four preceding Returns.
6. A Return, showing by name the Individuals who, from the 1st January 1816 to the 31st December 1834, received Salaries or other Emoluments to the amount of £. 150 or upwards each Person.
7. A Return, as No. 4, but for those Persons whose Salaries or other Emoluments are paid out of public money not passing through the Treasury of Government.
8. A Return, also as No. 4, but for those Individuals who are paid from municipal or private charitable funds.

To form the 7th Return, I must be altogether dependent upon the information with which the Government may be pleased to furnish me on the subject.

And I now take the liberty of requesting to be informed, whether I am expected to furnish also a statement which may distinguish, as regards the amount of emolument, the Maltese from the others of His Majesty's subjects receiving pay under the Civil Government of these Islands, lest I should incur a responsibility in having either furnished or withheld a statement of the kind.

I have, &c.

The Hon. Sir Fred. Hankey, G. C. M. G.
Chief Secretary to Government, &c. &c. &c.

(signed) *Wm Hy Thornton,*
Auditor General.

Enclosure, No. 3, in No. I.

Sir,

Chief Secretary's Office, Valletta, 22d November 1835.

I have the honour to acknowledge the receipt of your Letters of the 14th and 21st instant, on the subject of the Returns of Salaries which you are now preparing, in pursuance of directions from His Majesty's Principal Secretary of State for the Colonial Department.

And having laid your Letters before the Acting Lieutenant-Governor, I am to express his regret at the obstacles which stand in the way of preparing the Returns of Salaries required by the Resolution of the House of Commons of the 17th August last, in a correct manner, for the full period specified in that Resolution, without a process which would wholly preclude the possibility of their being ready for presentation at any period during the next Session of Parliament. Under these circumstances, he approves of the course which you have taken, as the best adapted for furnishing the most satisfactory statement within the limited time, and which he flatters himself may be found equally efficient for the required purpose.

On application to my office, you will obtain the information necessary to form the Return of such of the Salaries or other Emoluments derived by individuals employed under this Government, as you cannot ascertain from accounts coming before you for audit.

With respect to any distinction in the amount derived by the Maltese from that received by other subjects of His Majesty, as such information is not specified in the Parliamentary Resolution, the Acting Lieutenant-Governor does not see the propriety of its forming any part of your Returns.

I have, &c.

William Hy Thornton, Esq.
Auditor General, &c. &c. &c.

(signed) *Fred. Hankey,*
Chief Secretary to Govt.

— No. II. —

COPY of a DESPATCH from Lieut.-Colonel *Cardew*, Acting Lieutenant-Governor of *Malta*, to Lord *Glenelg*, (with Seven Enclosures).

My Lord, Malta, 9th January 1836.

I HAVE the honour to transmit herewith the Returns required, by your Lordship's Despatch of the 28th of August last, for the purpose of being laid before Parliament, in terms of two Resolutions of the House of Commons, dated the 17th of that month. No. 1 to No. 7.

My Despatch of the 26th of last November explained to your Lordship the reasons which made it impossible to comprise, in the Return of the Salaries of Persons employed under this Government, the whole of the period expressed in the Resolution of the House of Commons; and it is now my duty to acquaint your Lordship, that the same difficulties, and for similar reasons, were found to affect the Return of Pensions, which has only been made up from the year 1812. That the Returns now transmitted, under both the above-mentioned heads of Salaries and Pensions may nevertheless prove satisfactory to your Lordship, is my firm hope; and I have merely to observe, that in the last-mentioned Return, no notice whatever has been taken of the pensions paid in England to certain Knights of the Order of St. John of Jerusalem, nor of the retired allowances paid to persons who were employed in the late Colonial Audit Office, because, although these pensions and allowances are defrayed from the revenues of Malta, still the local Government is not in possession of that information, in regard to the particular items, which would have enabled it to include them in the accompanying Return; but this I consider of less importance, as the Colonial Agent General, through whom these pensions and allowances are paid, will be able to furnish any information which may be required respecting them. Vide Appendix to Return No. 3.

I beg to solicit your Lordship's attention to the statement of the Auditor General which accompanies his Returns of Salaries, and to that of the Superintendent of Grain respecting the two branches of the Department under his immediate management.

I have, &c. (signed) *G. Cardew*,
Lt-Col. R[l] Engineers and Acts Lt-Governor.

Enclosure, No. 1, in No. II.

RETURN of the NAMES of, and APPOINTMENTS held by, the MEMBERS of the COUNCIL OF GOVERNMENT of *Malta*.

NAMES.	APPOINTMENTS.	ANNUAL EMOLUMENTS from Local Revenues.
		£. s. d.
Lieutenant-Colonel George Cardew -	Commanding Royal Engineers as the Officer administering the Government during the absence of the Lieutenant-Governor - - - - - -	None.
Dr. Don Francesco Saverio Caruana -	Archbishop, Bishop of Malta - -	None.
Lieut.-Colonel Henry Balneavis, C. M. G.	Town Major, being the senior in command of His Majesty's Land Forces, and not being in the administration of the Government - - - - -	None.
Sir John Stoddart, Knt. - - -	Chief Justice - - - - - -	1,500 - -
Colonel Sir Frederick Hankey, G. C. M. G.	Chief Secretary to Government - -	1,500 - -
Baron Giuseppe Maria de Piro - -	- - Member of the Council of the University, one of the chief landed proprietors of the Island, being a native-born subject of His Majesty - -	None.
Agostino Portelli - - - - -	- - None; one of the chief merchants of the Island, being a native-born subject of His Majesty - - - -	None.
Nicholas John Aspinall - - -	- - None; one of the principal merchants of the Island, being a British-born subject of His Majesty, actually resident within these Possessions for upwards of two years - - -	None.

*** The Officer administering the Government during the absence of the Lieutenant-Governor receives, under orders from the Secretary of State, dated 8th January 1827, an allowance at the rate of £.1,000 sterling per annum, payable out of the salary assigned to the Lieutenant-Governor.

Chief Secretary's Office, Malta, 29 December 1835.

Fred. Hankey,
Chief Secretary to Government.

Enclosure, No. 2, in No. II.

EXPLANATORY STATEMENT, referring to NINE RETURNS, dated the 29th December 1835, of SALARIES and other EMOLUMENTS received by Individuals employed in or under the Civil Government of *Malta*, to the End of the Year 1834.

HAVING been directed by the Acting Lieutenant-Governor, in pursuance of His Majesty's Commands, founded upon an humble Address of the House of Commons, presented in consequence of a Resolution of that House, passed on the 17th August last, to prepare "a Return of the Salaries of all Persons employed under Government in Malta, from the time when the Island was taken possession of by the English in the year 1800, to the end of the year 1834, stating the amount of all Salaries in every year;" the undersigned, on inspecting the accounts and documents for the first fifteen years of that space of time, found that they were in most instances so obscure, and in many so involved and intricate, that to prepare the required document in a satisfactory manner might, if at all practicable, become the business of more than a year; and that in order to get any one ready against the ensuing Session of Parliament, a certain limitation must be assigned. Having submitted this circumstance to the Acting Lieutenant-Governor, whose consent to a suggested limited plan was, through the necessity of the case, given, the undersigned has applied himself exclusively, during the last three months, in preparing the information upon the plan authorized, which comprises Nine Returns, instead of the single one required; and which are formed upon the principle, that as comparison of service and rate, at stated intervals of time, must be the object of the Resolution of the House of Commons, so uniformity of arrangement in those particulars must be essential to the deducement of any just conclusion from the comparison.

To render the statement uniform as to time, it has been necessary to throw all arrear settlements upon the dates to which they refer. This, for the years anterior to 1825, has been a most embarrassing work, it having been the practice on many occasions, before the Instructions of His Majesty's Treasury began to operate, to issue temporary warrants to the Treasurer for the settlement of services, the acquittances of the party remaining in the local treasury as money, until the Chest was discharged by a formal warrant, which was often not issued until years afterwards; and thus the service, though currently paid, went to account in the shape of an arrear.

To preserve uniformity in respect to service, the salaries have been in a great measure classed differently from their arrangement in the accounts; that is to say, by branches of service instead of by departments, in a manner that no salary should be found at different periods on different branches. The arrangement of the accounts has undergone many mutations during the interval, and if followed, would afford no just conclusion in regard to departmental proportions, but merely to annual general totals.

Uniformity as to rate, independent of some adventitious explanation, has been found impracticable. It has been thought better, in preparing these Returns, not to disturb the amounts of sterling salaries originally established in that denomination of currency; and it has happened that various rates have been successively adopted for defraying such salaries in the currency of the place. Of what these discrepancies consist, will be explained in adverting to the particular Returns which are affected by them. Here, it may be stated briefly, that the British denominations of money were introduced, concurrently with the local ones, from the beginning of the year 1826, the basis being settled on the Spanish dollar at 4 *s.* 4 *d.*, or *Scudi* 2. 7 *t.* 4 *g.*, giving 12 scudi to the pound sterling. Previously to that time the Spanish dollar regulated sterling pay at the rate of 4 *s.* 6 *d.*; but it fluctuated in value with the currency of the Island, and this is the origin of the discordance.

A few occasional allowances for house-rent have been passed over, because these are not strictly pecuniary emoluments, but rather a commutation of allowances in kind, and could not be brought into a comparative statement which excluded the value of houses allotted rent-free. Nevertheless, to satisfy any inquiry on the subject, it is here stated that the accounts for the year 1834 bear only one charge of the kind, namely, 12 *l.* 10 *s.* annual rent of the collector's dwelling in Gozo.

All military pay or allowance is also omitted, such payments being properly subsidiary to the general charge of maintaining the garrison, which devolves upon Great Britain, and they can only be stated consistently, either as a part of the whole military expense of the garrison, or as a portion of the general expenditure of the civil government, it being borne in mind that the present Returns are confined to a single subject. It may notwithstanding be satisfactory to note in this place, that the few direct military allowances paid by the civil government in the year 1834 consist of—

£.	56	13	4	to a British Roman Catholic chaplain of the garrison.
	5	–	–	to the chaplain of the Maltese regiment.
	16	16	–	to two chaplains at outposts of the same regiment.
	23	11	5½	to a corporal and 4 privates of the same regiment, employed as mounted orderlies.
£.	102	–	9½	

Individuals receiving wages for the working days only of their actual occasional employment are likewise passed over without notice.

Allowances for maintenance of a calesse, or for any means of personal conveyance, are included as emolumental when they amount to or exceed 20 *l.*; and are omitted, as for service, when under; a rule which has been adopted by way of settling the thing generally, although erroneous in principle as regarding the individuals concerned. Most of these allowances will be found at the termination of the period to have been either abolished or consolidated with regular salaries.

Official Italian designations have generally been translated in a free manner, such as "Constable" for "Visconte," or "Overseer" for "Accatapano." Several liberties may also have been taken with the English designations of office, when they have been derived from an Italian term.

FIRST RETURN.

It has been already said that much intricacy prevails in the accounts for the first fifteen years under the British Government. This observation applies more particularly to the earlier portion of those years, when many of the individuals employed, besides their regular salaries from Government, received fees from the public, of which no satisfactory estimate can at this day be formed. In the year 1808, the service

service began to assume some appearance of order, and improvement went on until July 1812, when, a commission having been appointed by His Majesty to inquire into the affairs of Malta, schedules of establishment were formed, and estimates procured of various of those fees taken by individuals which still remained uncommuted by an increase of direct pay. This inquiry was followed by a greater degree of regularity in the organization of the different departments, but which was unfortunately arrested by the plague, announced on the 5th May 1813 to have broken out in the Island, and from which day order retrograded during the many succeeding months of sickness. The close of the month of April 1813 is the point of time chosen as the best for considering the civil establishment of Malta under the former order of things, a new constitution of the local government having taken place before general health was restored. It will be right, however, first to notice a few important augmentations of salary that had been effected within the first four months of the same year.

The King's Civil Commissioner (including his table-money) from 3,500 *l.* to 5,000 *l.*	£. 1,500
The Public Secretary, from 800 *l.* to 1,500 *l.*	700
The Treasurer, from 600 *l.* to 1,000 *l.*	400
So that, since 1812, an increase of	£. 2,600

had been made in the amount of the principal salaries. That of the minor ones does not appear to have been materially altered during the four months.

The first Return shows the annual rate and amount of all salaries, and, as nearly as can be stated, other emoluments derived by persons holding situations in or under the civil government of Malta, as borne on the 30th day of April 1813.

It will be seen that this Return contains two columns of amount, the one of salaries and the other of contingent emoluments; the former and some of the latter being direct from the Treasury, while the others were levied from the public. Where so levied, the amount is in many cases inserted from an arbitrary estimate, and in some from a reasoned one. The arbitrary estimates are those which were furnished to the members of His Majesty's Commission in 1812; but it is the opinion of several, in which the Undersigned shares, that they are under-rated, and that an ample allowance should be made on this account before the totals for 1813 can be brought into comparison with those for the years of the new system. It is to be noticed that no fees which have continued in nature, until the present time, separate from the receipts of the Treasury, are estimated for in this return, as such emoluments will be considered distinctly from the general comparison as to time. The sterling salaries included in 1813 were paid at the rate of 4 *s.* 6 *d.* the Spanish dollar, calculated at 2½ scudi, a rate below the value for which they commonly passed at the time in the place. At this rate the salaries in general are carried into the comparison, [6th Return,] namely, 44,891 *l.* as the value of Scudi 498,792, which, if calculated according to the present legal concurrent value of twelve to the pound, would give only 41,566 *l.* On the other hand, it will be proper to add whatever amount may be thought reasonable for under-estimated indirect emoluments. In considering the details it will further be necessary to note, that the "Palace Establishment" bears charges for coaches and calesses, from which individuals in other departments were accommodated; an arrangement discontinued under the new system, where each department bears its proper charge for such service. For these reasons, the totals for 1813 are brought into the comparison (6th Return) with the qualification of being placed out of juxtaposition with those for the years of the new system.

SECOND RETURN.

On the 5th October 1813, while the malady still prevailed, the constitution of the government of these Islands was changed; and after the restoration of health, which, as the plague had in the mean time extended to Gozo, was not finally declared until the 8th September 1814, the measures for re-organizing the service remained far from complete. From the 1st October of that year, the appointments of various offices were placed upon a schedule of establishment, and those of other offices, as they successively advanced to a state of readiness for the proceeding, followed into the schedule, until the 1st January 1816, when, though still imperfect, it assumed an appearance of completion.

It is from this point, then, over a space of nineteen years, that the information required by the Resolution of the House of Commons regularly starts, having left in obscurity the term intervening from April 1813, while the service was disorganized through the immediate effects or consequences of a contagious malady, and the transactions during which interval could not be correctly detailed otherwise than at the expense of punctuality in the transmission of these returns.

The Second Return shows the annual rate and amount of all salaries and other pecuniary allowances derived by persons employed in the civil service of these Islands, as borne on the 1st day of January 1816.

For this Return one column of amount serves, all the emoluments referred to being direct, conformably to the principle of the system established by the late Sir Thomas Maitland, and promoted under his successors, which, as a general one having its particular exceptions, excludes the reception of fees by officers of the Government, otherwise than as income of the public Treasury. The exceptions from this principle will be noticed with reference to the Seventh and Eighth Returns.

At this time the sterling salaries were regulated by the Spanish dollar at 4 *s.* 6 *d.*, the same rate as noticed for the year 1813, but at ten grains higher as compared with the currency of the place, being one-sixtieth part on the old rate of 2½ scudi. This gives 49,583 *l.* as the value of the total, Scudi 560,110; but, as will be explained further on, is carried into the comparison (6th Return) at the rate of 4 *s.* 3½ *d.* the current dollar of 2½ scudi, making 48,076 *l.* Again, if this total be computed according to the present legal rate of 12 scudi to the pound, it will be found to amount to no more than 46,676 *l.*

THIRD AND FOURTH RETURNS.

These two Returns comprise the changes taken place during the nineteen years ended with 1834, and show the amount of all salaries for every year; that is to say, not the amounts actually paid, but the annual rates borne at nineteen equal distances of time, besides the starting point, which are fixed on the 31st December of each year. Savings from temporary vacancies in office, which more than compensate some double charges or increases, not reaching the annual points of comparison, have not been considered; they having been thought of insufficient moment to render a different arrangement of the statement preferable to the methodical one chosen.

The agio of ten grains on the Spanish dollar continued to serve as the basis for sterling payments until the 1st October 1817, when the inadequacy of this excess having caused that coin to be withdrawn from the Island, it became necessary to have recourse to the Sicilian or current dollar, as the medium for settling the military and civil sterling pay; and it was according arranged that 4 *s.* 3½ *d.* should be considered the intrinsic value of the current dollar, in comparison with 4 *s.* 6 *d.* for the Spanish dollar. No alteration, however, took place in the ordinary currency of the Island; and as the current salaries greatly exceeded in amount those established in sterling, it has been thought better to fix a single rate, namely, that of 4 *s.* 3½ *d.* the current dollar of 2⅔ scudi, for bringing them into comparison for the ten years that preceded the introduction of the sterling denomination into the accounts of Malta.

This measure was effected at the beginning of the year 1826, after a short interval, in which the Spanish dollar was re-introduced with an agio of 30 grains, or five per cent. over the current one; and the Spanish dollar was then again fixed with an agio of only 24 grains on such comparison, but at the more reduced rate of 4 *s.* 4 *d.* on that with British currency; the result of which arrangement is, that the pound sterling has since passed for 12 scudi of Malta, such being the consequent legal rate. As the measure, however, gave an increase in Maltese currency to those whose salaries had been appointed in sterling, it was deemed equitable to place the receivers of current salaries in a similar position, to the exclusion of extra or contingent emoluments, as will be seen in the statement at the end of the Third Return, which is distinct from the Fourth, for the sole purpose of separating the periods of the respective currencies.

It is to be particularly observed, that these Returns embrace no portion of emolument derived by any individual employed in the late Colonial Audit Office of London, for the service of which a yearly subsidy of 2,200 *l.* was defrayed by the Colonial Agent in London, the undersigned not having the means of stating the portion of that sum which went in the payment of salaries,

FIFTH RETURN.

This Return shows the state at the end, as the second Return did at the beginning of the term of nineteen years ended with 1834, on the last day of which year they amounted to 44,994 *l.* 18 *s.* 10 *d.* To this Return will be found annexed a recapitulation, which exhibits the classification of the departments as observed in the local accounts, and from which it will be seen that the temporary vacancies in December 1834, to be deducted from the total sum to give the real fact, amounted to only the annual rate of 61 *l.* 15 *s.*

It has already been said that wages paid for working days only have been omitted from these Returns. Notwithstanding this, it has so happened that some of such daily wages which were at first contingent have afterwards become fixed monthly stipends. A difficulty has thus occurred, for to bring forward the alterations as new appointments, when the result was probably a saving, would be inconsistent, and the only alternative left has been to keep them out of the comparison, giving hereunder a note of those so omitted, whether monthly or daily, as paid in the year 1834, adding the amount of any other remuneration defrayed within the same year, and not comprised by the present Returns. They consist of—

	£.	*s.*	*d.*
Guards in the Quarantine Department - - - - - - -	1,744	11	7
Attendants and Guards of the Grain Department - - - -	433	6	6
Registrar and Marshal of the Court of Special Commission, 8 *l.* 6 *s.* 8 *d.* each for a single Session - - - - - - - - -	16	13	4
Incidental or special remuneration in various offices or institutions -	144	–	7
£.	2,338	12	–

with which sum no comparison for former years will be found in these Returns.

The daily labourers employed in the public works, in the bakery of the charities, and in some other branches, cannot of course be noticed separately from a question of general expenditure.

SIXTH RETURN.

The preliminaries for the nineteen years being disposed of, the comparative merit of the totals at the different points of time properly comes to notice, and this will be found in the Sixth Return, which offers a comparative view of the amounts of the several branches of service during that interval, brought into parallel at stated annual dates. A view is also given of the amounts at an isolated earlier date, the 30th April 1813, as presenting a kind of comparison, though not a just one. A note at the heading of the Return further shows, that even for the nineteen years there is a flaw in the comparison, a latent increase existing from the amounts of the first ten to those of the last nine years of the period. To settle this difference rightly is not pretended in this place, as so material an increase in the sterling value causing the disparity, could scarcely be unaccompanied by some declension in that of the currency. At what intermediate point the balance is to be found, remains undetermined; but if it should be thought that the comparison ought to have vested rather on the current than on the sterling value, the following sterling totals, formed upon the uniform basis of 12 scudi to the pound, may be substituted:—

	£.		£.
30th April 1813 - -	41,566	31st Dec. 1825 - -	48,046
1st Jan. 1816 - -	46,676	„ 1826 - -	50,326
31st Dec. 1816 - -	48,291	„ 1827 - -	47,342
„ 1817 - -	48,852	„ 1828 - -	45,693
„ 1818 - -	47,597	„ 1829 - -	45,879
„ 1819 - -	48,207	„ 1830 - -	45,433
„ 1820 - -	49,010	„ 1831 - -	45,418
„ 1821 - -	48,786	„ 1832 - -	45,293
„ 1822 - -	47,494	„ 1833 - -	44,762
„ 1823 - -	46,835	„ 1834 - -	44,995
„ 1824 - -	47,293		

In

In comparing the amount for April 1813 with those for any of the collective nineteen years, it will be proper to bear in mind that the indirect emoluments at the first date, which have their set-off in the commuted direct emoluments of the other periods, are supposed to be considerably underrated.

SEVENTH RETURN.

Thus far, the offices, and not the particular individuals employed, have formed the subject; but in order to give as ample information thereon as a due limit may allow, a statement, composing the Seventh Return, has been drawn up, which describes by name every individual who during the aforesaid term of nineteen years received a direct emolument to the extent of 150 *l.* a year or upwards, and shows the amount so received by him within that space of time, excepting only the names of the private secretaries, whose salaries are placed under the names of their principals. As the sterling salaries form a material portion of this statement, it has been thought better to leave the amounts of these as originally fixed, although paid at different rates, not only at distant intervals but, on a few occasions, simultaneously. From the latter course, this Return has its own particular discrepancies; but these, in their greatest extent, have never affected the annual amount as far as 40 *l.* in a total of 28,000 *l.*, beyond what depends upon the alteration in the value of the Spanish dollar from time to time, as particularly noticed with reference to the Sixth Return.

It is however right here to add, that several of the individuals named have been in the receipt of other emoluments than their direct salaries. Such of them as were so situated in 1834, will be found named at the close of the Eighth Return; and for the previous years the following notice is offered with reference to the Seventh Return.

Leaf 1.—The Rev. J. C. Miller, as Chaplain, for the receipts of the Government Chapel; and afterwards the Rev. John Cleugh.
Leaf 7.—Mr. Fletcher, as Joint Registrar of the Supreme Council in 1816 and 1817.
Mr. Mamo, as above, and afterwards as sole Registrar.

Leaf 2.—Capt. St. John, as Surveyor of Shipping for some years. Fees, abolished after his death, amounted in 1827, as seen in a published statement, to 36*l.* 6*s.* 10*d.*

Leaf 3.—Mr. William Wright, as Secretary in matters of Bankruptcy. The emoluments during his employment until 1819, and several years afterwards under his successor (whose name does not appear on this Return), are understood to have been very large. Mr. Wright was also for a time Joint Registrar of the Supreme Council.

Leaf 4.—Mr. Cleave, as Purveyor of the Hospital of Sto. Spirito, received 76*l.* 0*s.* 10*d.* a year for many years until 1830, when he was superseded, his successor performing the duty *ex officio* without emolument. He also received another 76*l.* 0*s.* 10*d.* during two or three years, as a member of the Committee of the House of Industry, until the allowance was discontinued. These two sums, amounting to 152*l.* 1*s.*8*d.*, were defrayed from private or municipal funds, such as discharge the salaries specified in the Ninth Return.

Last Leaf.—Mr. Fletcher, as Secretary of the Bankruptcy Court.

The fees of the Commissioners for taking Evidence are too small in amount to render it desirable that the individuals who partook of them previously to 1834, should be pointed out.

In this Return, the stoppage made from the pay of individuals during their absence on leave, has not been noticed, any more than the allowances which have been made out of such fund to their substitutes.

EIGHTH RETURN.

This shows the annual rate and amount of salaries, or other emoluments, derived from funds not passing through the Treasury of Government, as borne on the 31st December 1834, on which day they amounted to the annual rate of 2,697*l.* 13*s.* 5*d.*

For these, no comparison with the state during previous years is offered; but the amount of them is believed to have been much greater formerly, particularly in the Commercial Court, and in the Court of Bankruptcy.

NINTH RETURN.

This last describes the annual rate and amount of salaries or other allowances derived from municipal or private charitable funds, administered under the control of Government, as borne on the 31st December 1834, when they stood at the annual rate of 1,439*l.* 4*s.* 4*d.* No comparative view of these during the previous years is given; but it may be stated, that the amount has generally undergone much reduction, chiefly by the abolition of allowance to various members of charitable committees, who, or whose successors, now render their services without emolument.

In concluding, the undersigned ventures to express his hope that the information contained in this Statement, with its accompanying Returns, will be accepted as the most ample that could be given within the time allowed, his object having been to furnish it correctly, methodically, and consistently. It would be wrong to conceal that the current service of his office has been much inconvenienced by the exclusive attention which this business has exacted during the last three months, but which he trusts, with the exertions of the gentlemen employed in it, (whose efficient assistance, cheerfully afforded throughout the proceeding, it would be an injustice not to mention), that its regular course of duty will soon be restored, without any real injury having been sustained from the interruption.

Wm Hy Thornton,
Auditor General.

Audit Office, Malta,
29 December 1835.

SALARIES, MALTA.—FIRST RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN, showing the ANNUAL RATE and AMOUNT of all SALARIES, and, as nearly as can be stated, other EMOLUMENTS derived by Persons holding Situations in or under the CIVIL GOVERNMENT of *Malta*, as borne on the 30th day of April 1813.

Note.—Salaries originally fixed in Sterling, were at this time defrayed in Maltese currency, at the rate of 4 *s.* 6 *d.* the current dollar of 2½ Scudi, or in other words, at 1 *s.* 9⅗ *d.* the Scudi.

	ANNUAL RATE OF SALARIES.	ANNUAL RATE OF Other EMOLUMENTS.	
1.—PALACE ESTABLISHMENT.	*Scudi. tari. grains.*	*Scudi. tari. grains.*	
The King's Civil Commissioner - - - £. 3,500	33,888 10 13	16,666 6 19	£.1,500, table allowance.
Private Secretary - - 500	5,555 6 13		
Chaplain - - - - 300	3,333 4 –		
Clerk to Chaplain - - -	130 – –		
Keeper of the apartments - -	500 –		
2 Regulators of clocks, 150 *Sc.* and 120 *Sc.* - - - - -	270 – –		-- The cost of forage & daily expenses of the stables are estimated at about this sum, which is here set down as an emolument derived by the head and other officers of the Government.
Superintendent of the stables -	600 – –		
13 Coachmen, calesse drivers and grooms, from 384 *Sc.* to 90 *Sc.* ea.	4,458 – –	14,000 – –	
Coxswain of barge - - -	360 – –		
4 Rowers of ditto, at 105 *Sc.* each -	420 – –		
	54,515 9 6	30,666 6 19	
2.—SECRETARY'S and DEPENDENT OFFICES.			
Public Secretary - - £. 1,500	16,666 8 –		-- Also an Auditor of the Signature. *See* in No. 12.
Pro-secretary - - - -	5,000 – –	- - -	
Registrar - - - - -	960 – –		
Agent for Mediterranean passes -	2,220 – –		
Agent for registry of shipping -	2,220 – –	- - -	-- Also Harbour-master. *See* in No. 7.
Agent for licenses (including 1,020 *Sc.* for a clerk) - -	4,080 – –		
A Clerk - - - - -	2,220 – –		
Another - - - - -	960 – –		
Another - - - - -	780 – –		
Another - - - - -	720 – –		
A Porter - - - - -	420 – –		
Another - - - - -	120 – –		
2 Messengers, at 60 *Sc.* each -	120 – –		
Director of the Post-office - -	720 – –		
Editor of the Gazette - - -	2,200 – –		
His Assistant - - - -	420 – –		
Inspector of the Printing-office -	720 – –		
Director of the Press - - -	600 – –		
15 Compositors and Pressmen, from 540 *Sc.* to 180 *Sc.* each - -	5,280 – –		
	46,426 8 –		
3.—TREASURY.			
Treasurer - - - £. 1,000	11,111 6 13		
Cashier - - - - - -	3,000 – –		
An Accountant - - - -	1,080 – –		
Another - - - - -	780 – –		
A Clerk - - - - -	720 – –		
Another - - - - -	480 – –		
4 Others, at 420 *Sc.* each - -	1,680 – –		
Porter - - - - -	360 – –		
Messenger - - - -	240 – –		
	19,451 6 13		
4.—AUDIT OF ACCOUNTS.			-- Being an allowance of 10*s.* a day to the Deputy Commissary General of Accounts, in whose office the civil accounts were audited, at the charge, in all other respects, of the military chest.
Auditor - - - - - -	- - -	2,029 2 –	

SALARIES, MALTA—FIRST RETURN—*continued.*

	ANNUAL RATE OF SALARIES.	Other EMOLUMENTS.	
	Scudi. tari. grains.	*Scudi. tari. grains.*	
5.—CUSTOMS.			
Collector	1,200 – –	500 – –	Estimated amount of petty fees.
		3,853 4 –	– – Estimated amount, on the average of the three years, 1810, 1811 and 1812, of a fee of 10 *Sc.* on each license granted for vessels to export goods for enemies' countries, assuming that half of the licenses in general were of that description.
4 Clerks, at 720 *Sc.* each	2,880 – –		
3 Others, at 420 *Sc.* „	1,260 – –		
2 Others, at 300 *Sc.* „	600 – –		
Porter	300 – –		
Head Weigher	360 – –		
8 Weighers, at 180 *Sc.* each	1,440 – –		
Messenger	60 – –		
	8,100 – –	4,353 4 –	
6.—QUARANTINE.			
Superintendent £. 800	8,888 10 13		
2 Commissaries	– –	1,200 – –	600 *Sc.* each for Calesse
Pratique Master	1,200 – –	240 – –	Instead of fees.
Chancellor	1,200 – –	650 – –	– – 350 *Sc.* for Calesse, and 300 *Sc.* instead of fees.
Vice-chancellor	720 – –		
Clerk of the Chancery	360 – –		
Clerk	480 – –		
Deputy at Lampedusa	720 – –		
2 Medical Officers at Gozo, 90 *Sc.* ea.	180 – –		
Captain of the Lazaretto	1,200 – –	300 – –	Instead of fees.
2 Clerks, at 360 *Sc.* each	720 – –		
2 Fumigators, at 240 *Sc.* each	480 – –		
2 Captains of the port, at 1,500 *Sc.* ea.	3,000 – –	700 – –	350 *Sc.* each for Calesse.
2 Clerks, at 300 *Sc.* each	600 – –		
Keeper of the barrier	360 – –		
Messenger of the barrier	315 – –		
2 Messengers, at 120 *Sc.* each	240 – –		
3 Coxswains, at 1 *Sc.* a day each	1,095 9 –		
25 Boatmen, at 7 *tari* a day each	5,326 6 15		
	27,086 2 8	3,090 – –	
7.—MARINE POLICE.			
Intendant	1,200 – –	800 – –	Instead of fees.
Harbour-master	2,000 – –	– – –	– – Also agent for registry of shipping. *See* in No. 2.
A Clerk	480 – –	240 – –	Instead of fees.
Another	240 – –	480 – –	Instead of fees.
2 Subalterns, at 120 *Sc.* each	240 – –	600 – –	– – 300 *Sc.* each, instead of fees.
2 Others, being also boatmen, at 420 *Sc.*	840 – –		
Keeper of the Mole	360 – –		
Keeper of the "Carrache," or vessels for cleaning the harbour	240 – –		
Keeper of the Lighthouse	120 – –		
2 Keepers of the Pulverist, at 360 *Sc.* each	720 – –		
Porter of the Pulverist	150 – –		
	6,590 – –	2,120 – –	
8.—PORT DUES.			
Collector	1,200 – –		
Assistant	540 – –		
2 Clerks, at 720 *Sc.* each	1,440 – –		
Porter	120 – –		
	3,300 – –		
9.—LAND REVENUE and PUBLIC WORKS.			
3 Administrators, at 1,200 *Sc.* each	3,600 – –		
Another	1,200 – –	480 – –	– – For superintending the accounts.
Chancellor or Notary	480 – –	180 – –	– – Fees estimated at about this sum.
2 Accountants, at 780 *Sc.* each	1,560 – –		
4 Clerks, at 480 *Sc.* each	1,920 – –		
7 Others, at 360 *Sc.* each	2,520 – –		
Another	300 – –		
Solicitor	120 – –	– – –	Besides professional fees.
Civil Engineer	1,200 – –		
2 Office Porters, at 300 *Sc.* each	600 – –		

(*continued.*)

SALARIES, MALTA—FIRST RETURN—*continued.*

	ANNUAL RATE OF SALARIES.	ANNUAL RATE OF Other EMOLUMENTS.	
LAND REVENUE and PUBLIC WORKS—*continued.*	*Scudi. tari. grains.*	*Scudi. tari. grains.*	
Head Overseer of Works	960 – –		
His Assistant	360 – –		
4 Overseers of Works, at 540 *Sc.* each	2,160 – –		
Assistant Overseer	456 – –		
Head Carpenter and head Plasterer, at 540 *Sc.* each	1,080 – –		
Head Mason	480 – –		
4 Summoning Officers, at 60 *Sc.* each	240 – –	- - -	Besides fees.
Intendant of the Stores	960 – –		
Director of the Botanical Garden	180 – –		
Agricultural Superintendent	720 – –		
Head Gardener, Botanical Garden	420 – –		
4 Gardeners, from 350 *Sc.* to 150 *Sc.* each	1,020 – –		
Overseer of public gardens in the country	480 – –		
Keeper of the Boschetto	240 – –		
Female Keeper of ditto	84 – –		
Keeper of the public slaughter-house	360 – –		
Regulator of St. John's clock	60 – –		
Superintendent of the Fountains	500 – –		
Overseer of ditto	420 – –		
3 Keepers of ditto, at 324 *Sc.* each	972 – –		
Clerk of the Archives of the Order of St. John	240 – –		
	25,892 – –	660 – –	
10.—EXCISE on WINE and SPIRITS.			
Collector	- - -	1,452 – 11	- - One per cent. on amount of collections less that of drawbacks, stated on the average of the three years 1810, 1811 and 1812.
Gauger, 22 *tari* a day	669 7 10		
Porter	365 3 –		
	1,034 10 10	1,452 – 11	
11.—VENDUE OFFICE.			
Vendue-master	- - -	36,251 10 4	- - The Vendue-master divided with Government the fee of 2 per cent. received on the proceeds of all sales by auction. It is understood that the gain by store-rent covered all charges for clerks or otherwise; and it is inferred from an arrangement afterwards made, that the principal left one-third of the emolument to his deputy. The within-stated sum of 54,377 *Sc.* 9 *t.* 6 *g.* is the same as the amount derived for the Government's share, on the average of the three years, 1810, 1811 and 1812.
His deputy	- - -	18,125 11 2	
		54,377 9 6	
12.—TRIBUNALS, POLICE and PRISONS.			
President of the Courts and Police	2,500 – –		
2 members of the Presidency of Police, also Auditors of the Signature 2,920 *Sc.* each	5,840 – –		
An Auditor of the Signature	1,920 – –	- - -	- - Also Pro-secretary of Government; *see* No. 2.
Another	1,920 – –		
A Member of the Presidency of Police	1,000 – –		
Secretary to the Auditors	360 – –		
6 Judges (namely, 3 of Appeals, 2 Civil and 1 Criminal) of the great Court, 200 *Sc.* each	1,200 – –	27,000 – –	- - Fees to each, estimated at about 4,500 *Sc.*
2 Consuls of the court of Marine Consulate	- - -	6,000 – –	- - Fees to each, estimated at about 3,000 *Sc.*
Their Assessor	- - -	3,600 – –	- - Fees estimated at about these sums.
Advocate Fiscal of the great Court	260 – –	1,680 – –	
Fiscal Attorney	50 – –	960 – –	
Interpreter	480 – –		

SALARIES, MALTA—FIRST RETURN—*continued.*

TRIBUNALS, POLICE and PRISONS—*continued.*	ANNUAL RATE OF SALARIES.	ANNUAL RATE OF Other EMOLUMENTS.	
	Scudi. tari. grains.	*Scudi. tari. grains.*	
Chief Constable	600 – –	– – –	- - Besides the tenth part of penal fines.
His Lieutenant	300 – –	– – –	
12 Court Officers and Clerks, from 480 *Sc.* to 30 *Sc.* each	1,698 – –	– – –	
Police Secretary	1,200 – –	– – –	
Police Inspector	720 – –	– – –	
His Lieutenant	480 – –	– – –	- - - Many, if not all, receiving emoluments in addition to their salaries.
Police Cashier	720 – –	– – –	
2 Police Clerks, at 600 *Sc.* each	1,200 – –	– – –	
Gaoler	270 – –	– – –	
Under Gaoler	90 – –	– – –	
Turnkey	165 – –	– – –	
31 Serjeants and Constables, from 305 *Sc.* to 80 *Sc.* each	6,580 – –	– – –	
Executioner	450 – –	– – –	
Trumpeter	150 – –	– – –	
Advocate for the poor	150 – –		
Pro-advocate for the poor	75 – –		
2 Commissaries of the streets, at 600 *Sc.* each	1,200 – –		
Overseer of the streets	360 – –		
2 others, at 120 *Sc.* each	240 – –		
Another	72 – –		
Judge of the court at Notabile	– – –	2,000 – –	- - Fees estimated at about this sum.
Advocate-fiscal of the same court	420 – –		
4 Officers and Clerks of the same court, from 300 *Sc.* to 60 *Sc.* each	564 – –	– – –	
Chief Constable, Notabile district	150 – –	– – –	- - Many, if not all, receiving emoluments in addition to their salaries.
Gaoler, same district	150 – –	– – –	
37 Serjeants and Constables in the country, from 240 *Sc.* to 30 *Sc.* each	5,040 – –	– –	
24 Lieutenants of towns and casals, from 960 *Sc.* to 240 *Sc.* each	11,760 – –		
Island of Gozo. Governor	3,000 – –		
Island of Gozo. His Secretary	120 – –		
Island of Gozo. Ordinary Judge	– – –	2,200 – –	
Island of Gozo. Judge of Appeals	– – –	1,100 – –	
Island of Gozo. Advocate Fiscal	360 – –		
Island of Gozo. Advocate for the poor	60 – –		
Island of Gozo. 5 Court officers and clerks, from 240 *Sc.* to 30 *Sc.* each	564 – –	– – –	
Island of Gozo. Chief Constable	150 – –	– – –	
Island of Gozo. Gaoler	120 – –	– – –	
Island of Gozo. 11 Serjeants and Constables, from 240 *Sc.* to 30 *Sc.* each	870 – –	– – –	
Island of Gozo. 6 Syndics of casals, at 90 *Sc.* each	540 – –	– – –	- - Many, if not all, receiving emoluments in addition to their salaries.
Great Prison. Clerk	420 – –	– – –	
Great Prison. Chaplain	120 – –	– – –	
Great Prison. Surgeon	264 – –	– – –	
Great Prison. 3 Gaolers, at 312 *Sc.* each	936 – –	– – –	
Great Prison. Under Gaoler	216 – –	– – –	
Great Prison. 5 Turnkeys, at 132 *Sc.* each	660 – –	– – –	
Great Prison. Cook	360 – –	– – –	
Great Prison. Scullion	75 – –	– – –	
	59,169 – –	44,440 – –	
13.—UNIVERSITY OF VALLETTA.			
Grain Department.			
3 Jurats, at 1,200 *Sc.* each	3,600 – –		
Another £.300	3,333 4 –		
Depositary	1,200 – –		
Cashier	900 – –		
Chancellor, or Notary	900 – –		
His Assistant	390 – –		
Paymaster, "Tesoriere"	1,080 – –		

SALARIES, MALTA—FIRST RETURN—*continued.*

	ANNUAL RATE OF SALARIES.			ANNUAL RATE OF Other EMOLUMENTS.			
UNIVERSITY OF VALLETTA—*Grain Department*—cont^{d}.	*Scudi.*	*tari.*	*grains.*	*Scudi.*	*tari.*	*grains.*	
First Accountant	1,080	–	–				
2 Accountants, at 720 *Sc.* each	1,440	–	–				
2 Clerks, at 240 *Sc.*	480	–	–				
Inspector of corn	1,080	–	–				
3 First Clerks of the Fosses, at 720 *Sc.* each	2,160	–	–				
3 Second Clerks of the Fosses, at 600 *Sc.*	1,800	–	–				
3 Storekeepers, at 720 *Sc.*	2,160	–	–				
2 Others, at 600 *Sc.*	1,200	–	–				
77 Measurers and Labourers, from 10 *tari* to 4 *tari* each a day, making for a mean year	19,875	8	5				
Keeper of the oil-tanks	600	–	–				
Office Porter	540	–	–				
2 Footmen or Messengers, at 240 *Sc.* each	480	–	–				
2 Overseers of the market, Valletta, at 600 *Sc.* each	1,200	–	–				
5 Under-overseers of ditto, at 240 *Sc.*	1,200	–	–				
Overseer of the market, Three Cities	480	–	–				
3 Under-overseers of ditto, at 240 *Sc.*	720	–	–				
Consul of Bakers	240	–	–				
Market Serjeant	180	–	–				
Subsidy to the University of Gozo, for the salaries of 6 officers thereof; namely, 4 Jurats, the Chancellor and Treasurer, at 240 *Sc.* each	1,440	–	–				
Regulator of the clock of Città Vittoriosa	30	–	–				
	49,789	–	5				
14.—CHARITABLE INSTITUTIONS.							
Hospitals.							
2 Presidents, at 400 *Sc.* each	800	–	–				
Another	420	–	–				
Commissary	420	–	–				
7 Chaplains, at 240 *Sc.* each	1,680	–	–				
Greek Priest	20	–	–				
2 Vestry-keepers, 360 *Sc.* and 180 *Sc.*	540	–	–				
2 Administrators, at 780 *Sc.* each	1,560	–	–				
4 Clerks, at 480 *Sc.*	1,920	–	–				
Another	360	–	–				
Steward	480	–	–				
Door-keeper	360	–	–				
Cook	360	–	–				
40 Physicians, Surgeons, Mates, Apothecaries and Dispensers, from 720 *Sc.* to 150 *Sc.* each	15,492	–	–				
Keeper of the burial-ground	240	–	–				
Lecturer	180	–	–				
Professor of Midwifery	300	–	–				
Matron	180	–	–				
Midwife	120	–	–				
2 Female Dispensers, at 150 *Sc.* each	300	–	–				
Notary	180	–	–				
6 Physicians and Surgeons employed externally for the Poor, from 80 *Sc.* to 32 *Sc.* each	332	6	–				
54 Ward-keepers, Nurses, male and female Servants and Labourers, from 330 *Sc.* to 30 *Sc.* each	10,062	–	–				
"Ospizj," or Asylums.							
Clerk	720	–	–				
2 Chaplains, 240 *Sc.* and 120 *Sc.*	360	–	–				
Surgeon	120	–	–				
Weaving-mistress	240	–	–				
Matron	180	–	–				
School-mistress	360	–	–				

- - Many, if not all, of the menials, and perhaps some others, of the Charitable Institutions, were provided with rations of food in addition to their salaries.

SALARIES, MALTA—FIRST RETURN—*continued.*

	ANNUAL RATE OF SALARIES.	ANNUAL RATE OF Other EMOLUMENTS.	
CHARITABLE INSTITUTIONS— "*Ospizj*," *or Asylums*—cont[d].	*Scudi. tari. grains.*	*Scudi. tari. grains.*	
2 Nurses of Foundlings, at 360 *Sc.* each	720 – –		
15 (chiefly Female) Ward-keepers, Teachers, Porters and Servants, from 180 *Sc.* to 51 *Sc.* each	1,713 – –		
Office of Alms.			
Grand Almoner	– – –	600 – –	For Calesse.
2 Clerks, 540 *Sc.* and 360 *Sc.*	900 – –		
Porter	180 – –		
Female Dispenser	90 – –		
Hospital of Gozo.			
Was separately administered from its own means, with aid from Government, the latter of which is estimated to have covered the emoluments of the individuals employed	– – –	972 9 –	– – (Exclusive of contingent aid.)
	41,889 6 –	1,572 9 –	
15.—UNIVERSITY OF LITERATURE.			
Rector	600 – –		
21 Professors or Masters, from 360 *Sc.* to 120 *Sc.* each	5,560 – –		
Prefect	150 – –		
Regulator of the clock	35 – –		
Porter	132 – –		
	6,477 – –		
16.—PUBLIC LIBRARY.			
Librarian	480 – –		
Deliverer of books	360 – –		
Porter	240 – –		
	1,080 – –		
17.—MISCELLANEOUS.			
Commanding Engineer	– – –	2,029 2 –	10*s.* Sterling a day.
Collector of the duty on transfer of immoveable property	– – –	1,200 – –	– – – A charge not authorized at the time, but eventually sustained by the Government.
		3,229 2 –	

SUMMARY OF THE FOREGOING PARTICULARS:

BRANCHES OF SERVICE.	ANNUAL RATE OF SALARIES.	ANNUAL RATE OF Other EMOLUMENTS.	TOTALS.
	Scudi. tari. grs.	*Scudi. tari. grs.*	*Scudi. tari. grs.*
1. PALACE ESTABLISHMENT	54,515 9 6	30,666 6 19	85,182 4 5
2. SECRETARY'S AND DEPENDENT OFFICES	46,426 8 –	– – –	46,426 8 –
3. TREASURY	19,451 6 13	– – –	19,451 6 13
4. AUDIT OF ACCOUNTS	– – –	2,029 2 –	2,029 2 –
5. CUSTOMS	8,100 – –	4,353 4 –	12,453 4 –
6. QUARANTINE	27,086 2 8	3,090 – –	30,176 2 8
7. MARINE POLICE	6,590 – –	2,120 – –	8,710 – –
8. PORT DUES	3,300 – –	– – –	3,300 – –
9. LAND REVENUE AND PUBLIC WORKS	25,892 – –	660 – –	26,552 – –
10. EXCISE ON WINE AND SPIRITS	1,034 10 10	1,452 – 11	2,486 – –
11. VENDUE OFFICE	– – –	54,377 9 6	54,377 9 6
12. TRIBUNALS, POLICE AND PRISONS	59,169 – –	44,440 – –	103,609 – –
13. UNIVERSITY OF VALLETTA (Grain Department)	49,789 – 5	– – –	49,789 – 5
14. CHARITABLE INSTITUTIONS	41,889 6 –	1,572 9 –	43,462 3 –
15. UNIVERSITY OF LITERATURE	6,477 – –	– – –	6,477 – –
16. PUBLIC LIBRARY	1,080 – –	– – –	1,080 – –
17. MISCELLANEOUS	– – –	3,229 2 –	3,229 2 –
	350,801 7 2	147,990 9 16	498,792 4 18

Equal, at 1 *s.* 9$\frac{3}{5}$ *d.* per Scudo, to £. 44,891. 6. 4. Sterling.

Malta, 29 December 1835.

Wm Hy Thornton, Audr Gen.

SALARIES, MALTA.—SECOND RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN, showing the ANNUAL RATE and AMOUNT of all SALARIES and other pecuniary Allowances derived from Government by Persons holding Situations in or under the CIVIL GOVERNMENT of *Malta*, as borne on the 1st day of January 1816.

Note.—Salaries originally fixed in Sterling, were at this time defrayed at the rate of 4*s.* 6*d.* the Spanish Dollar, then legally current in Malta, for Scudi 2. 6. 10.

	1st January 1816. ANNUAL RATE.
	Scudi. *t.* *g.*
1.—PALACE ESTABLISHMENT.	
Governor - - - - - - £. 5,000 – *Sc.* 56,481. 4. 16.	62,985 4 16
Coach and Calesse Allowance - - - - 6,504. – –	
Private Secretary - - - - - - - - £. 500. – –	5,648 1 4
Chaplain - - - - - - - - - £. 300. – –	3,388 10 4
Clerk to Chaplain - - - - - - - - - - -	195 – –
Keeper of the Apartments - - - - - - - - -	500 – –
Regulator of the Clocks - - - - - - - - - -	336 – –
Lamplighter - - - - - - - - - - - -	450 – –
Orderly - - - - - - - - - - - -	370 – –
Messenger - - - - - - - - - - - -	480 – –
Another - - - - - - - - - - - -	360 – –
	74,713 4 4
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.	
Chief Secretary to Government - - - £. 1,500. – *Sc.* 16,944 4 16	17,944 4 16
Calesse Allowance - - - - - - - 1,000 – –	
First Assistant - - - - - - - - - - - -	5,000 – –
Second Assistant - - - - - - - - - - - -	3,333 – –
Third Assistant - - - - - - - - *Sc.* 3,000 – –	4,200 – –
For superintending the Post-office - - - - - 1,200 – –	
Registrar - - - - - - - - - - - -	1,200 – –
A Clerk - - - - - - - - - - - -	2,500 – –
Another - - - - - - - - - - - -	2,000 – –
Another - - - - - - - - - - - -	1,500 – –
Another - - - - - - - - - - - -	1,080 – –
Another - - - - - - - - - - - -	1,000 – –
Another - - - - - - - - - - - -	960 – –
Office-keeper - - - - - - - - - - - -	420 – –
Orderly - - - - - - - - - - - -	370 – –
Director of the Post-office - - - - - - - - - -	720 – –
Messenger of the Post-office - - - - - - - - - -	90 – –
Editor of the Gazette - - - - - - - - - -	2,200 – –
Distributor of the Gazette - - - - - - - - - -	360 – –
Inspector of the Printing-office - - - - - - - - - -	1,200 – –
Reviser of the Press - - - - - - - - - -	360 – –
Printer - - - - - - - - - - - -	780 – –
15 Compositors and Pressmen, from 660 *Sc.* to 480 *Sc.* each - - -	8,880 – –
	56,097 4 16
3.—TREASURY.	
Treasurer to Government - - - - £. 1,000 – *Sc.* 11,296 3 12	12,296 3 12
Calesse Allowance - - - - - - - 1,000 – –	
Cashier - - - - - - - - - - - -	4,000 – –
An Accountant - - - - - - - - - - - -	1,200 – –
Another - - - - - - - - - - - -	1,080 – –
A Clerk - - - - - - - - - - - -	960 – –
Another - - - - - - - - - - - -	720 – –
2 Others, at 480 *Sc.* each - - - - - - - - - -	960 – –
Porter - - - - - - - - - - - -	420 – –
Messenger - - - - - - - - - - - -	300 – –
	21,936 3 12
4.—AUDIT OF ACCOUNTS.	
Auditor, 15*s.* sterling a day - - - - - - - - - -	3,094 5 8
2 Clerks, at *Sc.* 1,080 each - - - - - - - - - -	2,160 – –
Commissioner for investigating Arrear Accounts - - - - - -	5,000 – –
His Assistant - - - - - - - - - - - -	2,000 – –
Messenger to the Auditor - - - - - - - - - - -	180 – –
	12,434 5 8

SALARIES, MALTA.—SECOND RETURN—*continued.*

	1st January 1816. ANNUAL RATE. Scudi. t. g.
5.—CUSTOMS.	
Collector	5,000 – –
3 Clerks, at 1,080 *Sc.* each	3,240 – –
2 others, at 720	1,440 – –
2 others, at 480	960 – –
Porter	420 – –
Messenger	300 – –
Head Weigher	360 – –
8 Weighers, at 180 *Sc.* each	1,440 – –
Examiner of Cotton-yarn	360 – –
	13,520 – –
6.—QUARANTINE.	
Superintendent £. 800	9,037 – –
Registrar	4,000 – –
Pratique-Master ["Protomedico"]	1,440 – –
First Clerk	1,200 – –
A Clerk	900 – –
3 others, at 720 *Sc.* each	2,160 – –
Another	420 – –
Captain of the Lazaretto	2,520 – –
Captain of the Port	2,400 – –
Director of the Barrier	600 – –
Fumigator	600 – –
His Assistant	420 – –
Office Messenger	420 – –
3 Guardians, from 732 *Sc.* to 372 *Sc.* each	1,656 – –
11 Keepers of the Barrier, at 456 *Sc.* each	5,016 – –
19 Boatmen, at the same rate	8,664 – –
	41,453 – –
7.—MARINE POLICE.	
Intendant	5,000 – –
First Assistant	2,160 – –
2 Assistants, at 1,800 *Sc.* each	3,600 – –
2 Searchers, at 1,200	2,400 – –
First Clerk	1,080 – –
A Clerk	900 – –
Another	720 – –
Another	450 – –
Serjeant	480 – –
2 Office Messengers, at 420 *Sc.* each	840 – –
Coxswain	540 – –
16 Boatmen, at 456 *Sc.* each	7,926 – –
Keeper of the Lighthouse	160 – –
2 Keepers of the Pulverist, at 360 *Sc.* each	720 – –
Porter of the Pulverist	300 – –
Overseer of Pontoons	547 10 10
Keeper of Pontoons	471 9 7
	27,665 7 17
8.—PORT DUES.	
Collector	2,400 – –
Assistant	540 – –
Office Messenger	300 – –
	3,240 – –
9.—LAND REVENUE AND PUBLIC WORKS.	
Collector £. 500 (short) *Sc.* 5,640	6,640 – –
Calesse Allowance 1,000	
Deputy Collector	3,050 – –
Assistant	1,500 – –
Notary and Keeper of Records	1,200 – –
His Assistant	720 – –
Book keeper	960 – –
A Clerk	660 – –
4 others, at 600 *Sc.* each	2,400 – –
Office-keeper	360 – –
Orderly	370 – –
A late Administrator, for special Service	1,680 – –

(*continued.*)

SALARIES, MALTA.—SECOND RETURN—*continued.*

		1st January 1816. ANNUAL RATE. Scudi.	t.	g.
	LAND REVENUE AND PUBLIC WORKS—*continued.*			
Civil Artificers.	Head Superintendent	2,000	–	–
	2 Assistants, at 900 *Sc.* each	1,800	–	–
	Clerk of Works	540	–	–
	2 Overseers of Works, at *Sc.* 547. 10. 10. each	1,095	9	–
	Overseer of Aqueducts	600	–	–
	3 Keepers of ditto, at 480 *Sc.* each	1,440	–	–
	Storekeeper	960	–	–
	Clerk of Stores	600	–	–
	Porter of Stores	480	–	–
	Carter	450	–	–
	Head Master Carpenter	900	–	–
	Head Master Millwright	900	–	–
	Head Master Blacksmith	900	–	–
Director of the Botanical Garden		180	–	–
6 Gardeners in ditto,	from 330 *Sc.* to 150 *Sc.* each	1,628	9	–
Keeper of the Boschetto		240	–	–
Female Keeper of ditto		84	–	–
Keeper of the Fungus Rock of Malta		100	–	–
Island of Gozo.	Collector	2,000	–	–
	2 Clerks, 720 *Sc.* and 540 *Sc.*	1,260	–	–
	Office Porter	240	–	–
	Keeper of the Fungus Rock	60	–	–
		37,998	6	–
	10.—EXCISE ON WINE AND SPIRITS.			
Collector, one per cent. on Collections, which averaged, from the 1st January 1816 to the 31st March 1819, when it ceased		1,214	10	4
Clerk		600	–	–
Gauger		720	–	–
Porter		420	–	–
		2,954	10	4
	11.—VENDUE OFFICE.			
Deputy Vendue Master; his share of the Per Centage on Sales amounted in 1815, to		2,703	7	2
First Clerk		1,800	–	–
A Clerk		900	–	–
Another		780	–	–
Crier		960	–	–
2 Deliverers of Goods, at 640 *Sc.* each		1,280	–	–
Storekeeper		480	–	–
Porter		360	–	–
		9,263	7	2
	12.—TRIBUNALS, POLICE AND PRISONS.			
Superior Courts.	President	6,000	–	–
	6 Judges, at 5,000 *Sc.* each	30,000	–	–
	Assessor to Government £. 1,200. – *Sc.* 13,555. 6. Calesse Allowance 1,000. –	14,555	6	–
	2 late Auditors of the Signature (one of whom also one of the six Judges) at 1,920 *Sc.* each	3,840	–	–
	Secretary to Assessor	2,259	3	–
	Crown Advocate £. 600	6,777	9	–
	Crown Solicitor (also Assessor's Secretary)	1,000	–	–
	4 Officers and Clerks of the Criminal Court, from 960 *Sc.* to 480 *Sc.* each	2,520	–	–
Inferior Courts.	2 Police Magistrates, at 2,500 *Sc.*	5,000	–	–
	2 others, at 1,500 *Sc.*	3,000	–	–
	3 Court Officers, from 960 *Sc.* to 420 *Sc.* each	1,980	–	–
	Porter	360	–	–
Lord Lieutenancy.	6 Lord Lieutenants, at 1,000 *Sc.* each	6,000	–	–
	24 Deputy Lieutenants of Towns and Casals, from 960 *Sc.* to 240 *Sc.* each	11,760	–	–

SALARIES, MALTA.—SECOND RETURN—*continued.*

		1st January 1816. ANNUAL RATE. Scudi. t. g.
	TRIBUNALS, POLICE AND PRISONS—*continued.*	
Executive Police.	Inspector General - - - 19*s.* a day = *Sc.* 3,920 Calesse Allowance - - - - - - - 1,000	4,920 – –
	His Secretary - - - - - - - - - -	1,440 – –
	First Clerk - - - - - - - - - -	960 – –
	6 Clerks, from 720 *Sc.* to 420 *Sc.* each - - - - -	3,600 – –
	Medical Officer - - - - - - - - -	1,680 – –
	First Adjutant - - - - - - - - -	720 – –
	His Lieutenant - - - - - - - - -	600 – –
	2 Adjutants, at 900 *Sc.* each - - - - - - -	1,800 – –
	Another - - - - - - - - - -	600 – –
	Chief Constable, 1st district - - - - - - -	600 – –
	His Lieutenant - - - - - - - - -	300 – –
	22 Serjeants and Constables, same district, from 305 *Sc.* to 80 *Sc.* each - - - - - - - - - -	4,570 – –
	Chief Constable, 2d district - - - - - - -	150 – –
	17 Constables, same district, from 120 *Sc.* to 60 *Sc.* each - -	1,140 – –
	Executioner - - - - - - - - - -	450 – –
	Trumpeter - - - - - - - - - -	150 – –
Prisons.	Gaoler, 1st district - - - - - - - - -	270 – –
	Under Gaoler, same district - - - - - - - -	90 – –
	Turnkey, same district - - - - - - - - -	165 – –
	Gaoler, 2d district - - - - - - - - -	150 – –
	Great Prison.	
	Clerk - - - - - - - - - - -	516 – –
	Chaplain - - - - - - - - - -	198 – –
	Surgeon - - - - - - - - - -	312 – –
	2 Gaolers, 360 *Sc.* and 264 *Sc.* - - - - - -	624 – –
	Under Gaoler - - - - - - - - -	240 – –
	3 Turnkeys, at 240 *Sc.* each - - - - - - -	720 – –
	Boy - - - - - - - - - - -	60 – –
Collection of Dues.	Collector - - - - - - - - - -	2,000 – –
	Clerk - - - - - - - - - -	960 – –
	Messenger - - - - - - - - - -	300 – –
Advocate for the Poor - - - - - - - - - -		150 – –
Four Overseers of streets, from 360 *Sc.* to 72 *Sc.* each - - - - -		672 – –
Island of Gozo.	Commandant - - - - - - - - -	2,000 – –
	Police Adjutant - - - - - - - - -	900 – –
	Commandant's Clerk - - - - - - - -	900 – –
	Another Clerk - - - - - - - - -	540 – –
	Four Police Serjeants, at 240 *Sc.* each - - - - -	960 – –
	Six Syndics of Casals, at 130 *Sc.* - - - - -	780 – –
	Two Magistrates, at 1,000 *Sc.* - - - - - -	2,000 – –
	Court Registrar - - - - - - - - -	730 – –
	His Deputy - - - - - - - - -	650 – –
	Porter - - - - - - - - - -	180 – –
	Four Constables, from 120 *Sc.* to 60 *Sc.* each - - -	300 – –
	Gaoler - - - - - - - - - -	240 – –
		136,339 6 –

13.—UNIVERSITY OF VALLETTA.

Grain Department.

A Jurat - - - - - - - - - - £. 1000	11,296 3 12
3 Others, at 2,400 *Sc.* each - - - - - - - - -	7,200 – –
Depositary - - - - - - - - - -	1,200 – –
Cashier - - - - - - - - - -	900 – –
First Clerk - - - - - - - - - -	1,800 – –
A Clerk - - - - - - - - - -	900 – –
2 Others, 720 *Sc.* and 600 *Sc.* - - - - - - - -	1,320 – –
General Storekeeper - - - - - - - - -	1,080 – –
Inspector of Corn - - - - - - - - -	1,080 – –
Eleven Storekeepers and assistants attached to the granaries, from 900 *Sc.* to 600 *Sc.* each - - - - - - - - -	8,160 – –
35 Measurers and Labourers, from 390 *Sc.* to 180 *Sc.* each - - - -	10,350 – –
Office Porter - - - - - - - - -	540 – –
2 Messengers, at 360 *Sc.* each - - - - - - - -	720 – –

(*continued.*)

SALARIES, MALTA.—SECOND RETURN—*continued.*

	1st January 1816. ANNUAL RATE. Scudi.	t.	g.
UNIVERSITY OF VALLETTA—*Grain Department—continued.*			
2 Overseers of the Market, Valletta, at 600 *Sc.* each	1,200	–	–
4 Under Overseers of ditto, at 240 *Sc.* each	960	–	–
Overseer of the Market, Three Cities	480	–	–
3 Under Overseers of ditto, at 240 *Sc.*	720	–	–
Consul of Bakers	240	–	–
Market Serjeant	180	–	–
Regulator of the clock of Citta Vittoriosa	30	–	–
An Assistant for special duties, 500*l.*	5,648	1	4
Keeper of the cattle receptacle	360	–	–
Money Porter	365	3	–
Subsidy to the University of Gozo, for the salaries of 6 officers thereof, namely, 4 jurats, the chancellor and treasurer, at 240 *Sc.* each	1,440	–	–
	58,169	7	16
14.—CHARITABLE INSTITUTIONS.			
A Member of the Permanent Committee	1,600	–	–
Another	2,064	–	–
Another	1,000	–	–
Purveyor	2,064	–	–
First Clerk	1,080	–	–
Hospitals.			
2 Clerks, 960 *Sc.* and 600 *Sc.*	1,560	–	–
Steward	600	–	–
18 Physicians, Surgeons and other medical officers, from 1,800 *Sc.* to 360 *Sc.* each	12,972	–	–
4 Chaplains, at 300 *Sc.* each	1,200	–	–
Vestry-keeper	360	–	–
Door-keeper	360	–	–
Cook	420	–	–
Lecturer on midwifery	420	–	–
Matron	300	–	–
Female Dispenser	240	–	–
32 Ward-keepers, nurses, male and female servants and labourers, from 420 *Sc.* to 240 *Sc.* each	10,320	–	–
Keeper of the burial-ground	240	–	–
6 Physicians and Surgeons employed externally for the poor, from 80 *Sc.* to 10 *Sc.* each	342	–	–
"Ospizj" or Asylums.			
Clerk	720	–	–
Chaplain	600	–	–
Surgeon	120	–	–
Weaving-mistress	240	–	–
Matron	180	–	–
Schooolmistress	360	–	–
First Keeper of male maniacs	600	–	–
2 Nurses of infants, at 360 *Sc.* each	720	–	–
13 (chiefly female) Ward-keepers, teachers, porters and servants, from 180 *Sc.* to 51 *Sc.* each	1,383	–	–
Office of Alms.			
An Assistant	300	–	–
2 Clerks, 540 *Sc.* and 360 *Sc.*	900	–	–
Office Messenger	180	–	–
Female Dispenser	90	–	–
Hospital of Gozo.			
Was subsidized by Government; of which allowance 1,230 *Sc.* and 60 *Sc.* appear to have been given for payment of salaries	1,290	–	–
	44,825	–	–
15.—UNIVERSITY OF LITERATURE.			
Rector	600	–	–
20 Professors or masters, from 360 *Sc.* to 120 *Sc.* each	5,260	–	–
Prefect	150	–	–
Regulator of the clock	35	–	–
Porter	150	–	–
	6,195	–	–

SALARIES, MALTA.—SECOND RETURN—*continued.*

	1st January 1816. ANNUAL RATE.
16.—PUBLIC LIBRARY.	*Scudi.* *t.* *g.*
Librarian	600 – –
Deliverer of books	360 – –
Porter	240 – –
	1,200 – –
17.—MISCELLANEOUS.	
Agent in London £. 600	6,777 9 –
Commanding Engineer, 20*s.* a day	4,125 11 8
Collector of the duty on transfer of immoveable property (a charge not authorized at the time, but eventually sustained by the Government)	1,200 – –
	12,103 8 8

SUMMARY OF THE FOREGOING PARTICULARS:

BRANCHES OF SERVICE.	ANNUAL RATE of SALARIES on the 1st January 1816.
	Scudi. *t.* *g.*
1. PALACE ESTABLISHMENT	74,713 4 4
2. CHIEF SECRETARY'S AND DEPENDENT OFFICES	56,097 4 16
3. TREASURY	21,936 3 12
4. AUDIT OF ACCOUNTS	12,434 5 8
5. CUSTOMS	13,520 – –
6. QUARANTINE	41,453 – –
7. MARINE POLICE	27,665 7 17
8. PORT DUES	3,240 – –
9. LAND REVENUE AND PUBLIC WORKS	37,998 6 –
10. EXCISE ON WINE AND SPIRITS	2,954 10 4
11. VENDUE OFFICE	9,263 7 2
12. TRIBUNALS, POLICE AND PRISONS	136,339 6 –
13. UNIVERSITY OF VALLETTA (Grain Department)	58,169 7 16
14. CHARITABLE INSTITUTIONS	44,825 – –
15. UNIVERSITY OF LITERATURE	6,195 – –
16. PUBLIC LIBRARY	1,200 – –
17. MISCELLANEOUS	12,103 8 8
	560,109 11 7

Equal, at 4*s.* 6*d.* the Spanish Dollar of *Sc.* 2. 6. 10., to £. 49,583. 10. 1. Sterling.*

* But in the Comparative View (6th Return), for the reason given in the explanatory Statement, the conversion is made at the rate of 4*s.* 3½*d.* the current Dollar of *Sc.* 2. 6. giving £. 48,076. 2. 1.

Malta, 29 December 1835. *Wm Hy Thornton*, Auditor General.

SALARIES, MALTA.—THIRD RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN showing the ALTERATIONS taken place from the 1st January 1816 to the 31st December 1825, in the ANNUAL RATE and AMOUNT of SALARIES and other PECUNIARY ALLOWANCES derived from GOVERNMENT by Persons holding Situations in or under the CIVIL GOVERNMENT of *Malta*, as stated in the Second of these Returns, exhibiting the Proportion for each Year.

Notes.—1. Temporary vacancies are not noticed. 2. Alterations in the denomination of official appointments are likewise passed over, where the amount of emolument has undergone no change. 3. Where an alteration is stated to be from one sum to another, it is to be understood that the situation continues; but where a single sum is expressed against an appointment, that a place has been created or suppressed, accordingly as the increase or reduction may denote.

ALTERATIONS IN 1816.	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH.		——	——
			INCREASE.	REDUCTION.		
1.—PALACE ESTABLISHMENT.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
Lieutenant Governor - - - - - - - - - £. 1,000	11,296 3 12	- - -				
Three Pilots of the Signal Tower, together - - - - - - -	1,560 - -	- - -	12,376 3 12		Annual rate on the 1st January 1816, as shown in the second Return - -	560,109 11 7
One of the above - - - - - - - - - - - -	- - -	480 - -				
2.—CHIEF SECRETARY'S and DEPENDENT OFFICES.						
An Assistant - - - - - - - - - - £. 300	3,388 10 4					
Editorship of the Gazette, from 2,200 *Sc.* to 1,200 *Sc.* - - - - -	- - -	1,000 - -				
A Clerk - - - - - - - - - - - - -	- - -	1,080 - -				
A Clerk, from 2,000 *Sc.* to 1,200 *Sc.* - - - - - - - -	- - -	800 - -				
An Assistant, from £. 300—*Sc.* 3,388. 10. 4. to 3,000 *Sc.* - - - -	- - -	388 10 4				
Director of the Post-office - - - - - - - - - - -	- - -	720 - -				
Two Messengers, at 240 *Sc.* each - - - - - - - -	480 - -	- - -	1,080 - -			
A Compositor, Printing-office - - - - - - - - -	600 - -	- - -				
Two Clerks, Post-office, 180 *Sc.* and 60 *Sc.* - - - - - - -	240 - -	- - -				
Another Clerk, same office - - - - - - - - -	480 - -	- - -				
A Compositor, Printing-office, from 600 *Sc.* to 480 *Sc.* - - - - -	- - -	120 - -				
3.—TREASURY.						
Two Clerks, at 480 *Sc.* each - - - - - - - - - -	- - -	960 - -	- - -	960 - -		
5.—CUSTOMS.						
A Chief Clerk - - - - - - - - - - - £. 150	1,694 4 16	- - -	1,694 4 16			
6.—QUARANTINE.						
A Fumigator - - - - - - - - - - - -	730 6 -	- - -	1,349 6 -			
Allowance to the Commandant at Fort Manuel - - - - - - -	619 - -	- - -				
9.—LAND REVENUE and PUBLIC WORKS.						
Two Clerks, at 600 *Sc.* each - - - - - - - - - -	1,200 - -	- - -	1,200 - -			
11.—VENDUE OFFICE.						
A Deliverer of Goods - - - - - - - - - - - -	- - -	640 - -	- - -	1,639 3 4		
The Deputy Vendue-master's per centage on sales was, in 1815, *Sc.* 2,703. 7. 2.; in 1816, *Sc.* 1,704. 3. 18. - - - - - - - - - - -	- - -	999 3 4				

12.—Tribunals, Police and Prisons.								
A Crown Advocate	1,500	–	–	–	–	–		
A Deputy Inspector General of Police	2,063	1	16	–	–	–		
A Clerk, Executive Police	608	9	–	–	–	–		
Deputy Lieutenant of Floriana, from 240 *Sc.* to 600 *Sc.*	360	–	–	–	–	–		
An Overseer of the streets	–	–	–	360	–	–	2,545 – 6	
Two Constables, at 70 *Sc.* each	–	–	–	140	–	–		
A Clerk	–	–	–	600	–	–		
Two Police Adjutants, at 900 *Sc.* each	–	–	–	1,800	–	–		
Commandant at Gozo, from 2,000 *Sc.* to *Sc.* 2,913. 1. 10.	913	1	10	–	–	–		
13.—University of Valletta.								
A Storekeeper	–	–	–	720	–	–		
6 Measurers or labourers, together	–	–	–	1,260	–	–		
A Labourer, from 390 *Sc.* to 240 *Sc.*	–	–	–	150	–	–		
A Clerk	1,369	8	8	–	–	–	– – –	520 3 12
The Cashier during the following 18 years having received a supplementary remuneration to the amount of 4,320 *Sc.*, this sum is divided as an annual increase at the rate of	240	–	–	–	–	–		
14.—Charitable Institutions.								
18 Inferior Servants and Labourers	1,066	–	–	–	–	–		
Surgeon of the Ospizio, from 120 *Sc.* to 360 *Sc.*	240	–	–	–	–	–		
Steward of ditto, from 180 *Sc.* to 420 *Sc.*	240	–	–	–	–	–		
A Clerk	480	–	–	–	–	–		
An Office-keeper	360	–	–	–	–	–		
A Clerk, from 360 *Sc.* to 600 *Sc.*	240	–	–	–	–	–		
A Cook, from 120 *Sc.* to 240 *Sc.*	120	–	–	–	–	–	2,259 – –	
Additional to 5 inferior servants	213	–	–	–	–	–		
Weaving-mistress	–	–	–	240	–	–		
A Porter	–	–	–	120	–	–		
Female Dispenser of alms	–	–	–	90	–	–		
Female Dispenser of medicines	–	–	–	240	–	–		
A Surgeon of the poor	–	–	–	10	–	–		
Scudi.	32,302	9	6	12,918	1	8	22,504 2 14	3,119 6 16
Net increase in 1816								19,384 7 18
Annual rate on the 31 December 1816								579,494 7 5
ALTERATIONS IN 1817.								
1.—Palace Establishment.								
Keeper of the apartments	–	–	–	500	–	–		
Orderly, from 370 *Sc.* to 360 *Sc.*	–	–	–	10	–	–		
A Messenger	–	–	–	360	–	–	1,538 7 14	
Agio on Sterling salaries	2,408	7	14	–	–	–		

(*continued.*)

ALTERATIONS IN 1817—*continued.*	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
A Clerk	720 – –	– – –			Annual rate on the 31st December 1816	572,494 7 5
Another	– – –	2,500 – –				
Another	– – –	1,200 – –				
Orderly, from 370 *Sc.* to 360 *Sc.*	– – –	10 – –				
2 Clerks, at 960 *Sc.* each	1,920 – –	– – –				
An Assistant, from 3,000 *Sc.* to 2,500 *Sc.*	– – –	500 – –				
Office-keeper (consolidating the duty of keeper of palace apartments) from 420 *Sc.* to 600 *Sc.*	180 – –	– – –	– – –	1,174 3 –		
Superintendent of Post-office, from 1,200 *Sc.* to *Sc.* 1,694. 5. 8.	494 5 8	– – –				
Post-office Messenger, from 90 *Sc.* to 300 *Sc.*	210 – –	– – –				
Printer, from 780 *Sc.* to 600 *Sc.*	– – –	180 – –				
15 Compositors and Pressmen, together, from 8,880 *Sc.* to 8,040 *Sc.*	– – –	840 – –				
Agio on Chief Secretary's Sterling salary	531 3 12	– – –				
3.—TREASURY.						
Porter, from 420 *Sc.* to 360 *Sc.*	– – –	60 – –	294 1 16			
Agio on Treasurer's Sterling salary	354 1 16	– – –				
4.—AUDIT OF ACCOUNTS.						
A Clerk	1,080 – –	– – –				
First Clerk, from 1,080 *Sc.* to 1,800 *Sc.*	720 – –	– – –	1,957 – 12			
Messenger, from 180 *Sc.* to 240 *Sc.*	60 – –	– – –				
Agio on Auditor's Sterling salary	97 – 12	– – –				
5.—CUSTOMS.						
Chief Clerk, from *Sc.* 1,694. 4. 16. to 2,160 *Sc.*	465 7 4	– – –	4,465 7 4			
A Comptroller	4,000 – –	– – –				
6.—QUARANTINE.						
11 Keepers of the barrier, each from 456 *Sc.* to 360 *Sc.*	– – –	1,056 – –				
19 Boatmen, each from 456 *Sc.* to 384 *Sc.*	– – –	1,368 – –				
A Clerk, from 420 *Sc.* to 480 *Sc.*	60 – –	– – –	– – –	2,080 7 4		
Agio on Superintendent's Sterling salary	283 4 16	– – –				
7.—MARINE POLICE.						
16 Boatmen, each from 456 *Sc.* to 360 *Sc.*	– – –	1,536 – –				
2 Messengers, each from 420 *Sc.* to 360 *Sc.*	– – –	120 – –				
A Registrar, Magistracy of the ports	960 – –	– – –	144 – –			
A Clerk and Interpreter - ditto	360 – –	– – –				
A Serjeant	480 – –	– – –				
9.—LAND REVENUE AND PUBLIC WORKS.						
2 Clerks, at 600 *Sc.* each	– – –	1,200 – –				
Porter of Stores, from 480 *Sc.* to 420 *Sc.*	– – –	60 – –				
Carter, from 450 *Sc.* to 360 *Sc.*	– – –	90 – –	– – –	1,174 9 –		
Orderly, from 370 *Sc.* to 360 *Sc.*	– – –	10 – –				
Agio on Collector's Sterling salary	185 3 –	– – –				

10.—Excise on Wine and Spirits.							
Porter, from 420 *Sc.* to 360 *Sc.*	-	60 - -	-	60 - -			
11.—Vendue Office.							
A Clerk, from 780 *Sc.* to 720 *Sc.*	-	60 - -					
Crier, from 960 *Sc.* to 720 *Sc.*	-	240 - -					
A Clerk	-	720 - -					
Deliverer of goods, from 640 *Sc.* to 790 *Sc.*	150 - -	- - -	-	1,782 11 19			
The Deputy's per centage on sales amounted in 1816 to *Sc.* 1,704. 3. 18.; in 1817, to *Sc.* 791. 3. 19.	-	912 11 19					
12.—Tribunals, Police and Prisons.							
A Crown Advocate	-	1,500 - -					
A Police Magistrate	2,500 - -	- - -					
Registrar, inferior Courts, from 960 *Sc.* to 1,080 *Sc.*	120 - -	- - -					
Interpreter - ditto, from 420 *Sc.* to 480 *Sc.*	60 - -	- - -					
Porter - ditto, from 360 *Sc.* to 420 *Sc.*	60 - -	- - -					
A Registrar - ditto	960 - -	- - -					
A Clerk - ditto	600 - -	- - -		4,902 2 8			
2 Porters and Messengers - ditto, at 300 *Sc.* each	600 - -	- - -					
20 Police Serjeants, at 60 *Sc.* each	1,200 - -	- - -					
A Gaoler	180 - -	- - -					
Deputy Lieutenant of Floriana	-	600 - -					
Agio on Sterling Salaries	760 2 8	- - -					
3 Overseers of the streets	-	312 - -					
A Guardian of the Court at Gozo	274 - -	- - -					
13.—University of Valletta.							
2 Foremen of Cotton Factory, at 360 *Sc.* each	720 - -	- - -					
A Clerk	-	1,369 8 8		665 - 12			
Money Porter, from *Sc.* 365. 3. to 360 *Sc.*	-	5 3 -					
A Clerk	1,320 - -	- - -					
14.—Charitable Institutions.							
First Clerk, from 1,080 *Sc.* to 1,320 *Sc.*	240 - -	- - -					
Matron of the "Ospizio"	-	180 - -					
5 Ward-keepers and servants, together	-	340 - -		- - -		1,307 - -	
A Physician	-	1,440 - -					
An Assistant Surgeon in Gozo	413 - -	- - -					
17.—Miscellaneous.							
Agio on Sterling Salaries.—[*N. B.* That of the London Agent paid in England since 1st April 1816.]	341 11 8	- - -		341 11 8			
Scudi	26,068 11 18	19,339 11 7		14,308 7 14		7,579 7 3	Net Increase in 1817 - - 6,729 - 11
							Annual Rate on the 31st Dec. 1817 - - 586,223 7 16

ALTERATIONS IN 1818.	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
	Scudi. tari. grs.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
1.—PALACE ESTABLISHMENT.					Annual Rate on the 31st Dec. 1817 - - -	586,223 7 16
A Messenger	480 – –	- - -	480 – –			
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.						
A Compositor of the Press, from 480 *Sc.* to 180 *Sc.*	- - -	300 – –	- - -	300 – –		
4.—AUDIT OF ACCOUNTS.						
Messenger, from 240 *Sc.* to 300 *Sc.*	60 – –	- - -	60 – –			
6.—QUARANTINE.						
Registrar	- - -	4,000 – –	- - -	5,440 – –		
Pratique Master (" Protomedico")	- - -	1,440 – –				
9.—LAND REVENUE AND PUBLIC WORKS.						
Clerk in charge of barrack repairs	1,500 – –	- - -	1,680 – –			
A Clerk	600 – –	- - -				
Two Country Messengers, at 60 *Sc.* each	120 – –	- - -				
A Clerk in Gozo	- - -	540 – –				
11.—VENDUE OFFICE.						
The Deputy's per centage on Sales amounted in 1817 to *Sc.* 791. 3. 19., made up to a minimum of 2,000 *Sc.*	1,208 8 1	- - -	1,808 8 1			
A Clerk	600 – –	- - -				
12.—TRIBUNALS, POLICE AND PRISONS.						
The Crown Advocate £. 600	- - -	6,990 3 12	- - -	4,622 2 8		
Another Crown Advocate	3,000 – –	- - -				
His Assistant	1,440 – –	- - -				
Police Secretary	- - -	1,440 – –				
The Deputy Inspector General of Police	- - -	2,063 1 16				
First Police Adjutant, from 720 *Sc.* to 1,440 *Sc.*	720 – –	- - -				
A Clerk, Police, from *Sc.* 608. 9. to 600 *Sc.*	- - -	– 8 9				
An Assistant Adjutant of Police	720 – –	- - -				
13.—UNIVERSITY OF VALLETTA.						
A Clerk	- - -	1,320 – –	- - -	9,428 1 4		
The Assistant, for special duties	- - -	5,648 1 4				
Two Storekeepers, 780 *Sc.* and 600 *Sc.*	- - -	1,380 – –				
Keeper of the Cattle Receptacle	- - -	360 – –				
The two Foremen of the Cotton Factory, blended with the concern, and lost sight of	- - -	720 – –				

14.—Charitable Institutions.								
A Member of the Permanent Committee - - - - - - - - -	2,064	- -	- - -					
A Physician, from 1,800 *Sc.* to 1,440 *Sc.* - - - - - - - -	- -	-	360	- -	704	- -		
A Member of the Permanent Committee - - - - - - - - -	- -	-	1,000	- -				
	Scudi 12,512	8 1	27,570	3 12	4,732	8 1	19,790	3 12
ALTERATIONS in 1819.								
2.—Chief Secretary's and Dependent Offices.								
Editing of the Gazette, from 1,200 *Sc.* to 2,000 *Sc.* - - - - - -	800	- -	- - -					
Superintendence of the Printing-office, consolidated with Editorship of the Gazette, from 3,200 *Sc.* to 3,000 *Sc.* - - - - - - - - -	- -	-	200	- -				
Reviser of the Press - - - - - - - - - - - - - -	- -	-	360	- -				
Three Compositors, at 540 *Sc.* each - - - - - - - - -	- -	-	1,620	- -				
Eight Pressmen, from 540 *Sc.* to 420 *Sc.* each - - - - - - - -	- -	-	960	- -	-	-	1,600	- -
A Pressman - - - - - - - - - - - - - - -	- -	-	420	- -				
Two Clerks, from 960 *Sc.* to 1,320 *Sc.* each - - - - - - - -	720	- -	- - -					
A Clerk, Post-office, from 180 *Sc.* to 480 *Sc.* - - - - - - - -	300	- -	- - -					
A Clerk, from 1,000 *Sc.* to 1,080 *Sc.* - - - - - - - - -	80	- -	- - -					
A Messenger, from 360 *Sc.* to 420 *Sc.* - - - - - - - - -	60	- -	- - -					
3.—Treasury.								
Cashier, from 4,000 *Sc.* to 5,000 *Sc.* - - - - - - - - -	1,000	- -	- - -					
Two Accountants, together, from 2,280 *Sc.* to 2,520 *Sc.* - - - - -	240	- -	- - -		1,540	- -		
Two Clerks, together, from 1,680 *Sc.* to 1,920 *Sc.* - - - - - -	240	- -	- - -					
Porter, from 360 *Sc.* to 420 *Sc.* - - - - - - - - - -	60	- -	- - -					
4.—Audit of Accounts.								
Commissioner for investigating arrear Accounts, appointed to the Board of Supply, - - - - - - - - - - *Sc.* 5,000								
Was afterwards allowed a remuneration for continuing that investigation, which is here summarily divided against the five years, 1819 to 1823, the time the business lasted, in the yearly proportion of - - - - - - - - - - - 2,400	- -	-	2,600	- -	-	- -	4,600	- -
His Assistant - - - - - - - - - - - - - -	- -	-	2,000	- -				
5.—Customs.								
Chief Clerk, from 2,160 *Sc.* to 2,500 *Sc.* - - - - - - - -	340	- -	- - -		340	- -		
7.—Marine Police.								
A Searcher, from 1,200 *Sc.* to 960 *Sc.* - - - - - - - - -	- -	-	240	- -				
Two Clerks, 720 *Sc.* and 450 *Sc.* - - - - - - - - - -	- -	-	1,170	- -				
Four Boatmen, at 360 *Sc.* each - - - - - - - - - -	- -	-	1,440	- -				
A Keeper of the Pulverist - - - - - - - - - - -	- -	-	360	- -	-	- -	2,509	7 17
Overseer of Pontoons, from *Sc.* 547. 10. 10. to 480 *Sc.* - - - -	- -	-	67	10 10				
Keeper of ditto, from *Sc.* 471. 9. 7. to 240 *Sc.* - - - - - -	- -	-	231	9 7				
A Coroner [Admiralty Jurisdiction] - - - - - - - - -	1,000	- -	- - -					

Net Reduction in 1818 - - 15,057 7 11

Annual Rate on the 31st Dec. 1818 - - 571,166 - 5

ALTERATIONS IN 1819—*continued*.	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
9.—LAND REVENUE AND PUBLIC WORKS.						
	Scudi. tari. grs.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
The Collector allowed half per cent. on collections, the average of which, during the seven years ending with 1825, is	1,777 10 8	- - -				
A Clerk	600 – –	- - -			Annual Rate on the 31st Dec. 1818	571,166 – 5
Calesse allowance to the Deputy Collector	480 – –	- - -				
A Clerk, from 600 *Sc.* to 960 *Sc.*	360 – –	- - -				
2 Overseers of Works, from *Sc.* 547. 10. 10. to 480 *Sc.* each	- - -	135 9 –	3,049 4 8			
Porter of Stores, from 420 *Sc.* to 390 *Sc.*	- - -	30 – –				
Carter, from 360 *Sc.* to 270 *Sc.*	- - -	90 – –				
6 Gardeners, together, from *Sc.* 1,628. 9. to 1,416 *Sc.*	- - -	212 9 –				
2 Country Messengers, at 60 *Sc.* each	120 – –	- - -				
Clerk at Gozo, from 720 *Sc.* to 900 *Sc.*	180 – –	- - -				
10.—EXCISE ON WINE AND SPIRITS.						
Collector's contingent remuneration, averaging *Sc.* 1,214. 10. 4. made fixed at 1,800 *Sc.*	585 1 16	- - -	585 1 16			
12.—TRIBUNALS, POLICE AND PRISONS.						
Assessor, with Calesse allowance	- - -	14,980 7 4				
President, from 6,000 *Sc.* to £. 1,500,=*Sc.* 17,475. 8. 8.	11,475 8 8	- - -				
First Police Magistrate, from 2,500 *Sc.* to 4,000 *Sc.*	1,500 – –	- - -				
Allowed ditto for a Calesse	600 – –	- - -				
Registrar of the Court of Piracy	1,000 – –	- - -				
A Police Adjutant, from 720 *Sc.* to *Sc.* 1,200	480 – –	- - -				
Sub-inspector of Police, 2d district	1,200 – –	- - -				
2 Police Serjeants, at 60 *Sc.*	120 – –	- - -				
A Constable	- - -	150 – –				
Another, from 305 *Sc.* to 260 *Sc.*	- - -	45 – –				
A Clerk, Executive Police	- - -	720 – –	3,890 1 4			
A late Auditor of Signature, from 1,920 *Sc.* to 2,920 *Sc.*	1,000 – –	- - -				
A Magistrate of Police	- - -	1,500 – –				
Another, from 1,500 *Sc.* to 2,100 *Sc.*	600 – –	- - -				
A Gaoler	- - -	150 – –				
2 Magistrates, from 1,000 *Sc.* to 1,500 *Sc.* each	1,000 – –	- - -				
Another	1,500 – –	- - -				
An Assistant Registrar in Gozo	300 – –	- - -				
A Registrar, from 730 *Sc.* to 720 *Sc.* (Gozo)	- - -	10 – –				
Another, from 650 *Sc.* to 720 *Sc.* - (ditto)	70 – –	- - -				
A Crown Advocate, in Gozo	600 – –	- - -				
13.—BOARD OF SUPPLY (succeeding University of VALLETTA.)						
2 Commissioners, at £. 500,=*Sc.* 5,648. 1. 4. each, and another at £. 300, equal to *Sc.* 3,388. 10. 4. instead of 4 jurats, together at *Sc.* 18,496. 3. 12.	- - -	3,811 3 –				
Agio afterwards allowed on the Salaries of two of the Commissioners; namely, on £. 800	283 4 4	- - -				

Depositary			1,200 – –					
A Clerk			600 – –					
Office Keeper			540 – –					
The Gozo establishment (University there suppressed)			1,440 – –					
The Market Officers, transferred			3,810 – –					
Inspector of Corn			1,080 – –					
3 Labourers, at 240 *Sc.* each			720 – –					
First Clerk, from 1,890 *Sc.* to 2,160 *Sc.*	360 – –		– – –					
Cashier, from 900 *Sc.* to 1,080 *Sc.*	180 – –		– – –					
A Clerk, to bring up arrears	1,800 – –		– – –					
A Clerk	420 – –		– – –					
General Storekeeper, from 1,080 *Sc.* to 1,200 *Sc.*	120 – –		– – –					
A Storekeeper, from 720 *Sc.* to 840 *Sc.*	120 – –		– – –					
An Assistant Storekeeper, from 600 *Sc.* to 720 *Sc.*	120 – –		– – –					
A Labourer, from 240 *Sc.* to 300 *Sc.*	60 – –		– – –		– – –		9,737 10 16	
13. (A.)—Markets, (springing from University of Valletta).								
Magistrate	2,400 – –		– – –					
2 Clerks, 840 *Sc.* and 480 *Sc.*	1,320 – –		– – –					
Officers from the late University	3,810 – –		– – –					
An Overseer, from 480 *Sc.* to 600 *Sc.*	120 – –		– – –					
3 Under Overseers, at 240 *Sc.* each	– – –		720 – –					
4 Others, from 240 *Sc.* to 300 *Sc.* each	240 – –		– – –		8,850 – –			
Allowed the Magistrate for calesse and incidents	300 – –		– – –					
Messenger	300 – –		– – –					
Island of Gozo — Magistrate	720 – –		– – –					
Island of Gozo — Clerk	240 – –		– – –					
Island of Gozo — Messenger	120 – –		– – –					
14.—Charitable Institutions.								
A Surgeon	1,440 – –		– – –					
First Clerk, from 1,320 *Sc.* to 1,560 *Sc.*	240 – –		– – –		1,680 – –			
17.—Miscellaneous.								
Consul General in Albania, 500 *Sc.*	5,825 3 –		– – –		5,825 3 –			
	Scudi 50,927 3 16		43,615 – 1		25,759 10 8		18,447 6 13	Net Increase in 1819 – – 7,312 3 15
Alterations in 1820.								
2.—Chief Secretary's and Dependent Offices.								
An Assistant, from 2,500 *Sc.* to 3,000 *Sc.*	500 – –		– – –					
2 Messengers, from 240 *Sc.* to 300 *Sc.* each	120 – –		– – –		1,580 – –			
A Clerk	960 – –		– – –					
4.—Audit of Accounts.								
2 Clerks for Arrear branch, 1,080 *Sc.* and 1,200 *Sc.*	2,280 – –		– – –		2,280 – –			
6.—Quarantine.								
Allowance to the Commandant at Fort Manuel	– – –		619 – –		– – –		619 – –	Annual Rate on the 31st Dec. 1819 – – 578,478 4 –

ALTERATIONS IN 1820—*continued.*	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH.		—	—
			INCREASE.	REDUCTION.		
	Scudi. tari. grs.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
8.—PORT DUES.						
Clerk, from 540 *Sc.* to 600 *Sc.*	60 – –	– – –	60 – –		Annual Rate on the 31st Dec. 1817	578,478 4 –
9.—LAND REVENUE AND PUBLIC WORKS.						
A Messenger	300 – –	– – –	540 – –			
Collector in Gozo, for hire of Calesse and Boat	240 – –	– – –				
10.—EXCISE ON WINE AND SPIRITS.						
Clerk, from 600 *Sc.* to 720 *Sc.*	120 – –	– – –	120 – –			
12.—TRIBUNALS, POLICE AND PRISONS.						
Deputy Crown Advocate	3,000 – –	– – –				
Assistant Crown Advocate	– – –	1,440 – –				
Crown Solicitor	– – –	1,000 – –				
President's Secretary	– – –	2,259 3 –				
A Porter, superior Courts	300 – –	– – –				
A Clerk, inferior Courts	600 – –	– – –				
A Police Magistrate	1,440 – –	– – –				
3 Deputy Lieutenants of Towns, at 960 *Sc.* each	– – –	2,880 – –				
Sub-inspector, 2d District	– – –	1,200 – –				
A Gaoler, from 270 *Sc.* to 480 *Sc.*	210 – –	– – –				
A Turnkey, from 165 *Sc.* to 240 *Sc.*	75 – –	– – –				
An Under Gaoler	– – –	90 – –				
Principal Gaoler, Great Prison	720 – –	– – –				
2 Gaolers, together, from 624 *Sc.* to 792 *Sc.*	168 – –	– – –				
3 Turnkeys, at 240 *Sc.* each	720 – –	– – –				
Chaplain of Great Prison, from 198 *Sc.* to 312 *Sc.*	114 – –	– – –	8,766 9 –			
A Gaoler, from 180 *Sc.* to 240 *Sc.*	60 – –	– – –				
Clerk of the Great Prison, from 516 *Sc.* to 480 *Sc.*	– – –	36 – –				
Boy, of same Prison	– – –	60 – –				
A Clerk, for Alien Commission	480 – –	– – –				
A Deputy Adjutant of Police	600 – –	– – –				
3 Others, at 480 *Sc.* each	1,440 – –	– – –				
2 Serjeant-majors of Police, at 360 *Sc.* each	720 – –	– – –				
28 Police Serjeants, at 300 *Sc.* each, instead of 22 at 60 *Sc.* each	7,080 – –	– – –				
A Porter, inferior Courts	420 – –	– – –				
3 Police Clerks, together, from 1,740 *Sc.* to 1,980 *Sc.*	240 – –	– – –				
Adjutant's Lieutenant, from 600 *Sc.* to 960 *Sc.*	360 – –	– – –				
A Clerk, inferior Courts, from 420 *Sc.* to 480 *Sc.*	60 – –	– – –				
7 Constables, from 260 *Sc.* to 270 *Sc.* each	70 – –	– – –				
5 Others, together	– – –	875 – –				
2 Lieutenants of Head Constables, 300 *Sc.* and 150 *Sc.*	– – –	450 – –				
A Porter in Gozo	180 – –	– – –				

13.—Board of Supply.							
Clerk of Arrears			1,800 – –				
Cashier, from 1,080 *Sc.* to 1,200 *Sc.*	120 – –					1,680 – –	
13. (A.)—Markets.							
First Clerk, from 840 *Sc.* to 900 *Sc.*	60 – –						
A Clerk, from 480 *Sc.* to 600 *Sc.*	120 – –						
Another	420 – –						
Allowance to Magistrate, from 300 *Sc.* to 360 *Sc.*	60 – –						
3 Overseers in Gozo, at 90 *Sc.* each	270 – –						
A Messenger			300 – –			930 – –	
A Head Overseer			600 – –				
2 Head Overseers, from 600 *Sc.* to 480 *Sc.* each			240 – –				
An Under Overseer			300 – –				
3 Under Overseers, from 300 *Sc.* to 240 *Sc.* each			180 – –				
Consul of Bakers			240 – –				
14.—Charitable Institutions.							
A Clerk			480 – –			480 – –	
Scudi	24,687 – –		15,049 3 –		13,346 9 –	3,709 – –	Net Increase in 1820 - - 9,637 9 –
ALTERATIONS in 1821.							Annual Rate on the 31st Dec. 1820 - - 588,116 1 –
2.—Chief Secretary's and Dependent Offices.							
A Clerk of the Post-office, from 60 *Sc.* to 144 *Sc.*	84 – –						
Another, from 480 *Sc.* to 360 *Sc.*			120 – –				
A Clerk to Commissioners for visiting Notarial Acts (previously remunerated contingently)					1,824 – –		
A Clerk	360 – –						
	1,500 – –						
5.—Customs.							
Examiner of Cotton Yarn			360 – –				
A Weigher			180 – –			540 – –	
9.—Land Revenue and Public Works.							
An Overseer, from 480 *Sc.* to 420 *Sc.*			60 – –			60 – –	
11.—Vendue Office.							
First Clerk, from 1,800 *Sc.* to 1,200 *Sc.*			600 – –				
A Clerk, from 900 *Sc.* to 600 *Sc.*			300 – –				
Another			600 – –				
Crier			720 – –			2,530 – –	
Deliverer of Goods, from 790 *Sc.* to 600 *Sc.*			190 – –				
Porter, from 360 *Sc.* to 240 *Sc.*			120 – –				

Salaries, Malta.—Third Return—*continued.*

Alterations in 1821—*continued.*	Increase.	Reduction.	Result on each branch. Increase.	Result on each branch. Reduction.		
	Scudi. tari. grs.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
12.—Tribunals, Police and Prisons.						
Deputy Crown Advocate, for a Clerk	500 – –	– – –			Annual Rate on the 31st Dec. 1820	588,116 1 –
A Judge, at 5,000 *Sc.*, made Vice President at 6,000 *Sc.*	1,000 – –	– – –				
A Police Magistrate, from 1,440 *Sc.* to 2,100 *Sc.*	660 – –	– – –	680 – –			
Registrar of the Court of Piracy	– – –	1,000 – –				
Clerk, Alien Commission (after an increase of 120 *Sc.*)	– – –	480 – –				
14.—Charitable Institutions.						
A Member of the Permanent Committee	– – –	2,064 – –	– – –	2,064 – –		
Scudi	4,104 – –	6,794 – –	2,504 – –	5,194 – –	Net Reduction in 1821	2,690 – –
Alterations in 1822.						
					Annual Rate on the 31st Dec. 1821	585,426 1 –
2.—Chief Secretary's and Dependent Offices.						
Superintendence of Post-office, consolidated with the duties of an Assistant	– – –	1,694 5 8				
2 Clerks, 1,500 *Sc.* and 1,320 *Sc.*	– – –	2,820 – –				
4 Others, together from 4,080 *Sc.* to 5,040 *Sc.*	960 – –	– – –				
Registrar of the Public Registry Office	3,600 – –	– – –	3,645 6 12			
His Deputy	2,160 – –	– – –				
2 Clerks, same office, at 600 *Sc.* each	1,200 – –	– – –				
Messenger, same office	240 – –	– – –				
4.—Audit of Accounts.						
Auditor, from *Sc.* 3,191. 6. to £. 500,=*Sc.* 5,828. 2. 8.	2,633 8 8	– – –	2,633 8 8			
5.—Customs.						
Comptroller	– – –	4,000 – –	– – –	4,700 – –		
Chief Clerk, from 2,500 *Sc.* to 1,800 *Sc.*	– – –	700 – –				
6.—Quarantine.						
Allowed the Superintendent instead of forage	913 1 10	– – –	182 7 10			
A Fumigator	– – –	730 6 –				
7.—Marine Police.						
A Coxswain	– – –	540 – –	– – –	60 – –		
A Serjeant	480 – –					
9.—Land Revenue and Public Works.						
A late Administrator, for special service	– – –	1,680 – –				
The Deputy Collector, allowed a quarter per cent. on collections, the average of which during the three years ended with 1824, is	885 3 11	– – –	625 2 15			
The Collector in Gozo, allowed a like per centage, the average of which during the four years ended with 1825, is	879 11 4	– – –				
A Clerk in Gozo	360 – –	– – –				
A Summoning Officer in Gozo	180 – –	– – –				

12.—Tribunals, Police and Prisons.																			
A Deputy Lieutenant													720 – –						
A Registrar of the inferior Courts													– – –		960 – –				
2 Clerks of the same Courts, together													– – –		1,080 – –				
2 Porters of the same Courts, at 300 *Sc.* each													– – –		600 – –				
A Gaoler													– – –		240 – –				
A Registrar of the inferior Courts													600 – –		– – –				
The Deputy Crown Advocate, with his allowance for a clerk													– – –		3,500 – –				
Inspector General, from *Sc.* 5,042. 6. 12. to *Sc.* 3,062. 11. 8.													– – –		1,979 7 4				
A Magistrate, from 2,500 *Sc.* to 2,100 *Sc.*													– – –		400 – –				
A Chaplain and a Surgeon, Great Prison, 312 *Sc.* each													– – –		624 – –				
Commandant in Gozo, from *Sc.* 2,913. 1. 10. to 3,000 *Sc.*													86 10 10		– – –				
Allowed for Calesse													1,000 – –		– – –		– – –	6,976 8 14	
13.—Board of Supply, afterwards Grain Department.																			
An Assistant at 3,000 *Sc.*, instead of First Clerk at 2,160 *Sc.*													840 – –		– – –				
4 Storekeepers, or assistants, together													– – –		3,240 – –				
26 Measurers and Labourers, from 8,280 *Sc.* together, to 4 at 360 *Sc.* each													– – –		6,840 – –				
A First Grain Guard													540 – –		– – –				
An Adjuster of Corn Measures													150 – –		– – –				
An Assistant Storekeeper, from 600 *Sc.* to 720 *Sc.*													120 – –		– – –				
Money Porter													– – –		360 – –				
A First Clerk, at 1,800 *Sc.*, instead of Assistant at 3,000 *Sc.*													– – –		1,200 – –		– – –	10,845 1 8	
2 Commissioners of the Board, at £. 500,=*Sc.* 5,648. 1. 4. each; one with *Sc.* 177. 1. 4. agio													– – –		11,473 3 12				
A Superintendent of Grain, at £. 500,=*Sc.* 5,825. 2. 8., from Commissioner at £. 300,=*Sc.* 3,495. 1. 4.													2,330 1 4		– – –				
A Government Agent and Broker												*Sc.* 3,600. –							
Who was also, from his appointment (16th Nov. 1822) until the 10th Aug. 1826, allowed one per cent. on purchases and sales of grain and cotton, amounting for that period (3 years, 8⅔ months) to *Sc.* 17,502. 2., the average of which is												*Sc.* 4,688. 1.	8,288 1 –		– – –				
14.—Charitable Institutions.																			
An Assistant in the Alms Office													– – –		300 – –		– – –	300 – –	
15.—University of Literature.																			
A Professor													300 – –		– – –		300 – –		
												Scudi	29,467 1 7		44,961 10 4		7,387 1 5	22,881 10 2	
																		Net Reduction in 1822	15,494 8 17
																		Annual Rate on the 31st Dec. 1822	569,931 4 3

SALARIES, MALTA.—THIRD RETURN—*continued.*

ALTERATIONS IN 1823.	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
	Scudi. tari. grs.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
1.—PALACE ESTABLISHMENT.						
A Messenger, from 360 *Sc.* to 540 *Sc.*	180 – –	– – –	180 – –		Annual Rate on the 31st Dec. 1822	569,931 4 3
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.						
2 Clerks, Post-office, together, from 504 *Sc.* to 720 *Sc.*	216 – –	– – –				
A Clerk	1,500 – –	– – –				
Keeper of Office (and Palace) at 600 *Sc.*, to Messenger at 300 *Sc.*	– – –	300 – –	– – –	287 3 12		
A Compositor, Printing-office	– – –	480 – –				
Public Registrar, from 3,600 *Sc.* to *Sc.* 2,976. 8. 8.	– – –	623 3 12				
A Clerk, Public Registry-office	– – –	600 – –				
4.—AUDIT OF ACCOUNTS.						
A Clerk for Arrear Audit	– – –	1,200 – –	– – –	1,200 – –		
6.—QUARANTINE.						
Assistant Fumigator	– – –	420 – –	– – –	420 – –		
7.—MARINE POLICE.						
Keeper of the Pulverist, from 360 *Sc.* to 420 *Sc.*	60 – –	– – –	– – –	300 – –		
A Searcher, from 960 *Sc.* to 600 *Sc.*	– – –	360 – –				
9.—LAND REVENUE AND PUBLIC WORKS.						
Assistant Collector, from 1,500 *Sc.* to 1,800 *Sc.*	300 – –	– – –	300 –			
11.—VENDUE OFFICE.						
Storekeeper	– – –	480 – –	– – –	480 – –		
12.—TRIBUNALS, POLICE AND PRISONS.						
An Assistant Crown Advocate	1,500 – –	– – –				
A Secretary to the Supreme Council	1,000 – –	– – –				
2 late Auditors of the Signature, at 1,920 *Sc.* each (leaving with one of them an additional 1,000 *Sc.*)	– – –	3,840 – –				
Advocate for the Poor	– – –	150 – –				
Vice-President of the High Court of Appeal	– – –	6,000 – –	– – –	5,618 – –		
2 Deputy Lieutenants, together from 840 *Sc.* to 1,080 *Sc.*	240 – –	– – –				
A Clerk, Executive Police	540 – –	– – –				
Principal Gaoler, from 720 *Sc.* to 960 *Sc.*	240 – –	– – –				
An Under Gaoler	312 – –	– – –				
A Guardian of the Port in Gozo	540 – –	– – –				

13.—Grain Department.																			
A Storekeeper														840	–	–	396	–	–
A Second Grain Guard											276	–	–						
Cashier, from 1,200 *Sc.* to 1,320 *Sc.*											120	–	–						
3 Clerks, together from 2,040 *Sc.* to 2,880 *Sc.*											840	–	–						
13 (A.)—Markets.																			
Magistrate's allowance, from 360 *Sc.* to 600 *Sc.*											240	–	–				300	–	–
A Clerk, from 420 *Sc.* to 480 *Sc.*											60	–	–						
15.—University of Literature.																			
A Professor											300	–	–				420	–	–
A Porter											120	–	–						
17.—Miscellaneous.																			
Collector of Arrears of Transfer Duty														1,200	–	–				1,200	–	–			
											8,584	–	–	16,493	3	12	1,596	–	–	9,505	3	12	Net Reduction in 1823	7,909	3	12
																							Annual Rate on the 31st Dec. 1823	562,022	–	11
ALTERATIONS in 1824.																			
1.—Palace Establishment.																			
The Lieutenant-Governor's allowance, no longer continued during the Governor's presence										£. 1,000*				11,650	6	–			
A Messenger, as keeper of palace, from 480 *Sc.* to 600 *Sc.*											120	–	–						
An Assistant to Private Secretary											1,500	–	–				9,910	6	–
A Signal Man at St. Antonio											120	–	–						
2.—Chief Secretary's and Dependent Offices.																			
A Clerk, from 1,500 *Sc.* to 1,800 *Sc.*											300	–	–						
A Clerk, Post-office, from 480 *Sc.* to 600 *Sc.*											120	–	–						
2 Messengers, together from 780 *Sc.* to 900 *Sc.*											120	–	–						
A Messenger											300	–	–				1,770	–	–
A Clerk, Public Registry-office											150	–	–						
Deputy Registrar														2,160	–	–			
Clerk, Public Registry-office														600	–	–			
4.—Audit of Accounts.																			
Auditor of Arrears [*See* in 1819]														2,400	–	–				2,400	–	–			

* The Allowance having now become contingent, until it totally ceased as a charge against the Public, it will not any longer be noticed in this (though it will be seen in the Seventh) Return; particularly as it is more than compensated by the saving during the vacancies in the office of Governor.

ALTERATIONS IN 1824—*continued.*	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
5.—CUSTOMS.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
A Clerk	600 – –	– – –	600 – –		Annual Rate on the 31st Dec. 1823	562,022 – 11
6.—QUARANTINE.						
A Clerk	– – –	480 – –	– – –	480 – –		
7.—MARINE POLICE.						
A Clerk	– – –	900 – –	– – –	300 – –		
Registrar, from 960 *Sc.* to 1,200 *Sc.*	240 – –	– – –				
Adjutant and Searcher, from 1,200 *Sc.* to 1,560 *Se.*	360 – –	– – –				
9.—LAND REVENUE AND PUBLIC WORKS.						
Head Superintendent of Artificers, from 2,000 *Sc.* to 1,300 *Sc.*	– – –	700 – –	– – –	500 – –		
2 Assistant Superintendents, from 900 *Sc.* to 1,000 *Sc.* each	200 – –	– – –				
12.—TRIBUNALS, POLICE AND PRISONS.						
An Assessor £.800	9,320 4 4	– – –	21,000 4 4			
A Secretary, from 1,000 *Sc.* to 1,500 *Sc.*	500 – –	– – –				
A Police Magistrate, from 2,500 *Sc.* to 3,000 *Sc.*	500 – –	– – –				
8 Police Serjeants, at 300 *Sc.* each	2,400 – –	– – –				
4 Constables, at 120 *Sc.* each	480 – –	– – –				
14 Others, from 60 *Sc.* to 120 *Sc.* each	840 – –	– – –				
114 Men of Night Patrol, at 60 *Sc.* each	6,840 – –	– – –				
A Porter, superior Courts, from 300 *Sc.* to 360 *Sc.*	60 – –	– – –				
A Clerk at Gozo, from 540 *Sc.* to 600 *Sc.*	60 – –	– – –				
13.—GRAIN DEPARTMENT.						
A Member of Assize Committees	1,000 – –	– – –	2,400 – –			
The same struck off the Pay List, but at a later period received a remuneration of 780 *Sc.*, which averaged for 26 months at 360 *Sc.* a year	– – –	640 – –				
First Clerk, from 1,800 *Sc.* to 1,920 *Sc.*	120 – –	– – –				
An Assistant Superintendent	3,000 – –	– – –				
A Clerk	– – –	1,080 – –				
14.—CHARITABLE INSTITUTIONS.						
First Clerk, from 1,560 *Sc.* to 1,800 *Sc.*	240 – –	– – –	120 – –			
2 Clerks, each from 600 *Sc.* to 840 *Sc.*	480 – –	– – –				
An Assistant Surgeon	360 – –	– – –				
A Clerk	– – –	960 – –				

16.—Public Library.								
Librarian, from 600 *Sc.* to 1,440 *Sc.*	840 – –	– – –	1,560 – –					
An Assistant Librarian	720 – –	– – –						
17.—Miscellaneous.								
Consul-General in Albania £. 500	– – –	5,825 3 –	– – –	4,825 3 –				
Allowed the Commanding Engineer for Calesse to inspect the public works	1,000 – –	– – –						
	Scudi 32,890 4 4	27,395 9 –	25,680 4 4	20,185 9 –	Net Increase in 1824 – –	5,494 7 4		
ALTERATIONS in 1825.					Annual Rate on the 31st Dec. 1824 – –	567,516 7 15		
1.—Palace Establishment.								
Increased Agio on Sterling Salaries	93 10 6	– – –	573 10 6					
A Messenger	480 – –	– – –						
2.—Chief Secretary's and Dependent Offices.								
Increased Agio on Sterling Salary	24 3 12	– – –	804 3 12					
A Clerk, from 300 *Sc.* to 1,080 *Sc.*	780 – –	– – –						
3.—Treasury.								
Increased Agio on Sterling Salary	16 2 8	– – –	16 2 8					
4.—Audit of Accounts.								
Increased Agio on Sterling Salary	8 1 4	– – –	– – –	1,071 10 16				
Clerk, for arrears	– – –	1,080 – –						
6.—Quarantine.								
Increased Agio on Sterling Salary	12 10 16	– – –	12 10 16					
9.—Land Revenue and Public Works.								
Increased Agio on Sterling Salary	8 – 12	– – –						
Deputy Collector, with allowances, *Sc.* 4,415. 3. 11., become Director of Works at (£. 500) *Sc.* 5,833. 3. 12.	1,418 – 1	– – –						
An Office Messenger, from 300 *Sc.* to 360 *Sc.*	60 – –	– – –						
A summoning Messenger	180 – –	– – –	1,276 – 13					
4 Country Messengers at 60 *Sc.* each, to 3 at 90 *Sc.* each	30 – –	– – –						
An Overseer of Works, from 420 *Sc.* to 480 *Sc.*	60 – –	– – –						
A Painter	420 – –	– – –						
A Master Millwright	– – –	900 – –						
12.—Tribunals, Police and Prisons.								
Increased Agio on Sterling Salaries	37 3 –	– – –						
A Police Serjeant	300 – –	– – –						
A Judge	5,000 – –	– – –						
The supplement to the allowance of a late Auditor of the Signature, noticed in the Alterations of 1823	– – –	1,000 – –	5,237 3 –					
A Gaoler	360 – –	– – –						
A Turnkey	240 – –	– – –						
An Assistant Registrar in Gozo	300 – –	– – –						

ALTERATIONS IN 1824—*continued.*	INCREASE.	REDUCTION.	RESULTS ON EACH BRANCH. INCREASE.	RESULTS ON EACH BRANCH. REDUCTION.	—	—
13.—GRAIN DEPARTMENT.	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*	*Scudi. tari. grs.*		*Scudi. tari. grs.*
Increased Agio on Sterling Salary	8 1 4				Annual Rate on the 31st Dec. 1824	567,516 7 15
2 Clerks, 900 *Sc.* and 600 *Sc.*	1,500 – –					
A Money Porter	240 – –					
		– – –	1,748 1 4			
14.—CHARITABLE INSTITUTIONS.						
2 Labourers, at 360 *Sc.* each	720 – –	– – –				
An Assistant Surgeon, from 432 *Sc.* to 552 *Sc.*, for also lecturing on Midwifery	120 – –	– – –	420 – –			
Lecturer on Midwifery	– – –	420 – –				
17.—MISCELLANEOUS.						
Increased Agio on Sterling Salaries	15 7 4	– – –	15 7 4			
Scudi	12,432 4 7	3,400 – –	10,104 3 3	1,071 10 16	Net Increase in 1825	9,032 4 7
Annual Rate on the 31st December 1825					*Scudi*	576,549 – 2

Equal, at 4*s.* 3½*d.* the Current Dollar of 2½ *Scudi*, to – – – £. 49,487. 2. 5. Sterling.

Postscript.—This Return having been closed before the Fourth was commenced, it has been since ascertained that some Arrears to the 31st December 1825 were subsequently defrayed, and that consequently the following Alterations, stated in 1826, belong to 1825.

INCREASE on No. 12, Tribunals, &c.—2 Turnkeys, at 240 *Sc.* each (12 to the Pound), 480 *Sc.*

DECREASE on No. 17, Miscellaneous,—Agent in London, from £. 600 to £. 500,=£. 100 (at 4*s.* 6*d.* the Spanish Dollar, of *Sc.* 2. 7. 10.) equal to *Sc.* 1,166. 8.

This is set right in the Comparative View (Sixth Return); the only place where (this explanation made) the error could be material, and where the Total for 1825 will be found £. 49,429, instead of £. 49,487.

From the commencement of 1826, Accounts have been kept in Sterling, and Salaries defrayed at the rate of 12 *Scudi* to the Pound. The Salaries and other Emoluments were carried forward to that year, by different rules, as follows:

Sc. 167,594 4 4	Value of sterling Salaries, transferred at their sterling rate, namely – – – – – – – –	£. 14,365 5 –
369,151 7 16	Amount of established current Salaries, transferred at the rate of 4 *s.* 3½ *d.* the current Dollar – – –	31,685 10 4
39,803 – 2	Amount of contingent Salaries and Emoluments, transferred at the rate of 12 *Scudi* to the Pound – –	3,316 18 4
Sc. 576,549 – 2		£. 49,367 13 8 Carried to the Fourth Return.

Malta,
29 December 1835.

Wm Hy Thornton,
Auditor General.

SALARIES, MALTA.—FOURTH RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN (continued from the Third Return), showing the ALTERATIONS taken place from the 1st January 1826 to the 31st December 1834, in the ANNUAL RATE and AMOUNT of SALARIES, and other PECUNIARY ALLOWANCES derived from GOVERNMENT by Persons holding Situations in or under the CIVIL GOVERNMENT of *Malta*, exhibiting the Proportion for each Year.

Notes.—1. Temporary vacancies are not noticed. 2. Alterations in the denomination of official appointments are likewise passed over, where the amount of emolument has undergone no change. 3. Where an alteration is stated to be from one sum to another, it is to be understood that the situation continues; but where a single sum is expressed against an appointment, that a place has been created or suppressed, accordingly as the Increase or Reduction may denote.

ALTERATIONS IN 1826.	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.
1.—PALACE ESTABLISHMENT.						
Fractional differences on reducing the rates from the Maltese currency	- - -	- 10 1	197 6 5		Annual Sterling Rate on the 31st December 1825, brought from the Third Return	49,367 13 8
An Aide-de-Camp to the Governor	197 16 6	- - -				
2. CHIEF SECRETARY'S AND DEPENDENT OFFICES.						
Fractional differences on the rates	- - -	3 19 8				
Two Clerks, £. 150 and £. 120	270 - -	- - -	268 - 4			
Another, from £. 40 to £. 72	32 - -	- - -				
Another, from £. 80 to £. 50	- - -	30 - -				
3.—TREASURY.						
Fractional differences on the rates	- - -	1 1 -	- - -	1 1 -		
4.—AUDIT OF ACCOUNTS.						
Fractional differences on the rates	- - -	- 8 -	- - -	- 8 -		
5.—CUSTOMS.						
Fractional differences on the rates	- - -	1 6 4	15 7 -			
Remuneration for extra service	16 13 4	- - -				
6.—QUARANTINE.						
Fractional differences on the rates	- - -	1 7 7	98 12 5			
Secretary to the Board of Health	100 - -	- - -				
7.—MARINE POLICE.						
Fractional differences on the rates	- - -	1 17 8	- - -	1 17 8		
8.—PORT DUES.						
Fractional differences on the rates	- - -	- 6 -	- - -	- 6 -		
9.—LAND REVENUE AND PUBLIC WORKS.						
Fractional differences on the rates	- - -	2 6 2				
Collector's per centage, averaged £. 129. 18. 6. until 31 July 1827, when it ceased, instead of £. 148. 3. 1., to 31st December 1825	- - -	18 4 7				
Assistant Collector, from £. 154. 6. to £. 200.	45 14 -	- - -	115 18 2			
Gozo Collector's per centage averaged £. 64. 1. 6. for the nine years of this Return, instead of £. 73. 6. 7., to 31st December 1825	- - -	9 5 1				
A Cabinetmaker	100 - -	- - -				

SALARIES, MALTA.—FOURTH RETURN—*continued.*

ALTERATIONS IN 1826—*continued.*	INCREASE. £. s. d.	REDUCTION. £. s. d.	RESULT ON EACH BRANCH. INCREASE. £. s. d.	RESULT ON EACH BRANCH. REDUCTION. £. s. d.	——	—— £. s. d.
10.—EXCISE ON WINE AND SPIRITS.						
Fractional differences on the rates	- - -	- 6 -	- - -	- 6 -	Annual Rate on the 31st Dec. 1825	49,367 13 8
11.—VENDUE OFFICE.						
Fractional differences on the rates	- - -	- 4 -	- - -	- 4 -		
12.—TRIBUNALS, POLICE AND PRISONS.						
Fractional differences on the rates	- - -	10 16 6				
A Clerk to Adjutant for the Three Cities	40 - -	- - -				
A Police Serjeant	25 - -	- - -	94 3 6			
2 Turnkeys, at £. 20 each *	40 - -	- - -				
13.—GRAIN DEPARTMENT.						
Fractional differences on the rates	- - -	1 11 5				
The Government Agent and Broker's emoluments, amounting to £. 699. 5. 4. on the average, commuted for a fixed salary of £. 600	- - -	99 5 4	- - -	150 16 9		
A Clerk	- - -	50 - -				
13 (A.)—MARKETS.						
Fractional differences on the rates	- - -	- 10 -	- - -	- 10 -		
14.—CHARITABLE INSTITUTIONS.						
Fractional differences on the rates	- - -	2 2 8				
Instead of the sum of £. 107. 10., estimated for the salaries of the Gozo Hospital during the previous ten years, that of £. 169. 4. is taken, which was the amount ascertained in the year 1830, when the accounts of that institution were about to be incorporated with those of the Government	61 14 -	- - -	59 11 4			
15.—UNIVERSITY of LITERATURE.						
Fractional differences on the rates	- - -	- - 9	- - -	- - 9		
16.—PUBLIC LIBRARY.						
Fractional differences on the rates	- - -	- 4 -	- - -	- 4 -		
17.—MISCELLANEOUS.						
Fractional difference on a rate	- - 4	- - -				
Agent in London, from £. 600 to £. 500 †	- - -	100 - -	265 5 4			
Permanent Allowance to the General Officer, contingently liable to become Lieutenant-Governor	365 5 -	- - -				
£.	1,294 3 2	335 12 10	1,114 4 6	155 14 2	Net Increase in 1826	958 10 4
					Annual Rate on the 31st Dec. 1826	50,326 4 -

ALTERATIONS IN 1827.

1.—PALACE ESTABLISHMENT.																			
Governor at £. 5,000. to Lieutenant-Governor at £. 4,000.	-	-	-	-	-	-	-	-	-	1,000	-	-	-	-	-	1,100	-	-	
Interpreter (on Private Secretary's salary)	-	-	-	-	-	-	-	-	-	100	-	-							
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.																			
3 Clerks, £. 150., £. 120. and £. 50.	-	-	-	-	-	-	-	-	-	320	-	-	-	-	-	341	4	-	
Result of an arrangement in pay of clerks	-	-	-	-	-	-	-	-	-	29	6	-							
A Clerk, from £. 12. 10. to £. 20. 12.	-	-	-	-	-	-	-	-	8	2	-	-	-	-					
7.—MARINE POLICE.																			
A Searcher	-	-	-	-	-	-	-	-	50	-	-	-	-	-	-	132	6	-	
2 Serjeants, at £. 41. 3. each	-	-	-	-	-	-	-	-	82	6	-	-	-	-					
9.—LAND REVENUE AND PUBLIC WORKS.																			
Collector, with allowances, from £. 713. 5. 6. to a fixed salary of £. 750.	-								36	14	6	-	-	-	-	63	6	-	
A Clerk	-	-	-	-	-	-	-	-	40	-	-	-	-	-					
Saving by minor arrangements	-	-	-	-	-	-	-	-	-	-	-	13	4	-					
12.—TRIBUNALS, POLICE AND PRISONS.																			
Assessor's Assistant	-	-	-	-	-	-	-	-	-	-	-	128	12	-	-	-	-	1,111	12	9
A Judge, from £. 428. 12. to £ 308. 12.	-	-	-	-	-	-	-	-	-	-	-	120	-	-					
A Police Magistrate	-	-	-	-	-	-	-	-	-	-	-	180	-	-					
4 Police Serjeants, at £. 25. 15. each	-	-	-	-	-	-	-	-	-	-	-	103	-	-					
4 Constables, at £. 10. 6. each	-	-	-	-	-	-	-	-	-	-	-	41	4	-					
14 Others, from £. 10. 6. to £. 5. 3. each	-	-	-	-	-	-	-	-	-	-	-	72	2	-					
114 Men of Night Patrol, at £. 5. each	-	-	-	-	-	-	-	-	-	-	-	570	-	-					
A Clerk, Collector's Office	-	-	-	-	-	-	-	-	50	-	-	-	-	-					
A Police Serjeant	-	-	-	-	-	-	-	-	25	-	-	-	-	-					
Allowed the Provost Serjeant, for custody of certain criminals, 1 *s.* a day	-								18	5	3	-	-	-					
Advocate for the Poor in Gozo	-	-	-	-	-	-	-	-	10	-	-	-	-	-					
13.—GRAIN DEPARTMENT.																			
Assistant Superintendent	-	-	-	-	-	-	-	-	-	-	-	257	3	-	-	-	-	287	3	-
Member of the Assize Committees	-	-	-	-	-	-	-	-	-	-	-	30	-	-					
13 (A.)—MARKETS.																			
A Serjeant	-	-	-	-	-	-	-	-	25	15	-	-	-	-		25	15	-	
17.—MISCELLANEOUS.																			
Permanent Allowance to General Officer	-	-	-	-	-	-	-	-	-	-	-	365	5	-	-	-	-	365	5	-
								£.	346	2	9	3,330	6	-		221	1	6	3,205	4	9

Net Reduction in 1827 - -	2,984	3	3
Annual Rate on the 31st Dec. 1827 - -	47,342	-	9

ALTERATIONS IN 1828.

1.—PALACE ESTABLISHMENT.																			
Governor's Aide-de-Camp	-	-	-	-	-	-	-	-	-	-	-	197	16	6	-	-	-	496	7	6
Private Secretary's Clerk	-	-	-	-	-	-	-	-	-	-	-	128	12	-						
Private Secretary, from £. 400. to £. 300.	-	-	-	-	-	-	-	-	-	-	-	100	-	-						
Regulator of the Clocks	-	-	-	-	-	-	-	-	-	-	-	28	16	-						
A Messenger	-	-	-	-	-	-	-	-	-	-	-	41	3	-						

* This alteration dates from a period of 1825. *See* Postscript to Third Return.

ALTERATIONS IN 1828—*continued.*	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.
The Establishment for the Public Registry Branch	- - -	275 15 -	- - -	347 15 -	Annual Rate on the 31st Dec. 1827	47,342 - 9
A Clerk	- - -	72 - -				
5.—CUSTOMS.						
First Clerk	- - -	154 6 -	- - -	204 6 -		
A Clerk	- - -	50 - -				
6.—QUARANTINE.						
A Keeper of the Barrier	- - -	30 18 -	15 2 -			
Head Keeper of the Coradino Barrier	40 - -	- - -				
A Clerk, from £. 61. 15. to £. 67. 15.	6 - -	- - -				
7.—MARINE POLICE.						
6 Boatmen and Messengers, at £. 30. 18. each	185 8 -	- - -	198 3 -			
A Keeper of Pontoons	40 - -	- - -				
A Person attached to the Assistant Intendant	36 10 -	- - -				
Intendant from £. 428. 12. to £. 350. after an intermediate arrangement	- - -	78 12 -				
First Assistant, from £. 185. 3. to £. 200.	14 17 -	- - -				
9.—LAND REVENUE AND PUBLIC WORKS.						
A Clerk	- - -	40 - -	- - -	40 4 -		
Result of minor arrangements	- - -	- 4 -				
11.—VENDUE OFFICE.						
Result of an arrangement	- 2 8	- - -	- 2 8			
12.—TRIBUNALS, POLICE AND PRISONS.						
The Assessor	- - -	800 - -	- - -	689 17 -		
The Chief Justice, having acted as legal adviser during the following 4½ years, received afterwards a remuneration of £. 450, which averages annually	100 - -	- - -				
A Constable	5 3 -	- - -				
A Physician to the Prisoners at Senglea	5 - -	- - -				
13.—GRAIN DEPARTMENT.						
Result of an arrangement	- - -	- 1 -	- - -	- 1 -		
17.—MISCELLANEOUS.						
Calesse Allowance to the Commanding Engineer	- - -	83 7 -	- - -	83 7 -		
£.	433 - 8	2,081 10 6	213 7 8	1,861 17 6	Net Reduction in 1828	1,648 9 10
					Annual Rate on the 31st Dec. 1828	45,693 10 11

ALTERATIONS in 1829.

2.—Chief Secretary's and Dependent Offices.					
Result of a new arrangement in the Printing-office	72 11 –	– – –	72 11 –		
7.—Marine Police.					
2 Messengers, at £. 30. 18. each	– – –	61 16 –	– – –	138 6 –	
A Keeper of Pontoons	– – –	40 – –			
A Person attached to the Assistant Intendant	– – –	36 10 –			
9.—Land Revenue and Public Works.					
Increase to the Superintendent and the Head Gardener of the Botanical Garden	46 13 4	– – –	46 13 4		
10.—Excise on Wine and Spirits.					
A Guard in the Bonding Stores	18 – –	– – –	18 – –		
12.—Tribunals, Police and Prisons.					
A Judge, from £. 428. 12. to £. 350.	– – –	78 12 –			
Another, from £. 308. 12. to £. 308. 10.	– – –	– 2 –			
A Crown Advocate, from £. 192. 18. to £. 150.	– – –	42 18 –			
An Advocate for the Poor	83 7 –	– – –			
His Assistant	38 3 –	– – –			
A Messenger to Crown Advocates	20 – –	– – –			
2 Police Magistrates, at £. 90. each	180 – –	– – –	187 – 9		
3 Police Serjeants, from £. 25. to £. 25. 15. each	2 5 –	– – –			
A Constable	23 3 –	– – –			
The Provost Serjeant, for care of certain Prisoners	– – –	18 5 3			
Police Adjutant in Gozo, from £. 77. 3. to £. 57. 3.	– – –	20 – –			
£.	484 2 4	298 3 3	324 5 1	138 6 –	Net Increase in 1829 – – 185 19 1
					Annual Rate on the 31st Dec. 1829 – – 45,879 10 –

ALTERATIONS in 1830.

2.—Chief Secretary's and Dependent Offices.					
A Clerk, from £. 20. 12. to £. 40. 12.	20 – –	– – –	20 – –		
6.—Quarantine.					
Head Keeper of Coradino Barrier, from £. 40. to £. 50.	10 – –	– – –	10 – –		
7.—Marine Police.					
4 Boatmen, at £. 30. 18. each	– – –	123 12 –	– – –	8 12 –	
5 Boatmen, at £. 23. each	115 – –	– – –			
9.—Land Revenue and Public Works.					
Cabinet-maker	– – –	100 – –	– – –	146 13 4	
The increase to the Superintendent and the Head Gardener of the Botanical Garden discontinued	– – –	46 13 4			
10.—Excise on Wine and Spirits.					
Extra remuneration to the Collector, Clerk and Gauger	78 4 –	– – –	78 4 –		
12.—Tribunals, Police and Prisons.					
Clerk, Three Cities, from £. 40. to £. 24.	– – –	16 – –			
A Police Serjeant	25 15 –	– – –			
An Assistant Registrar in Gozo	– – –	25 – –	– – –	1 11 –	
Police Clerk, Gozo, from £. 51. 9. to £. 42.	– – –	9 9 –			
A Constable	23 3 –	– – –			

ALTERATIONS IN 1830—*continued.*	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.	——	——
	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.
13 (A.)—MARKETS.						
Clerk in Gozo, from £.20. 12. to £.30. 1.	9 9 –	– – –	9 9 –		Annual Rate on the 31st Dec. 1829	45,879 10 –
14.—CHARITABLE INSTITUTIONS.						
A general alteration in the Establishment, from which there resulted a saving of	– – –	275 6 –	– – –	275 6 –		
17.—MISCELLANEOUS.						
Commanding Engineer, from £.365. 5. to £.182. 12. 6.	– – –	182 12 6				
Remuneration for assistance in the investigation of Blockade Claims, averaged on five years, from 1st Jan. 1830	51 – –	– – –	– – –	131 12 6		
£.	332 11 –	778 12 10	117 13 –	563 14 10	Net Reduction in 1830	446 1 10
ALTERATIONS IN 1831.					Annual Rate on the 31st Dec. 1830	45,433 8 2
1.—PALACE ESTABLISHMENT.						
A Signal Man at St. Antonio	– – –	10 6 –	– – –	10 6 –		
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.						
A Clerk, from £.40. 12. to £.20. 12.	– – –	20 – –	– – –	20 – –		
5.—CUSTOMS.						
Remuneration for extra service, from £.16. 13. 4. to £.36. 13. 4.	20 – –	– – –				
Collector, from £.428. 12. to £.400.	– – –	28 12 –	– – –	8 12 –		
10.—EXCISE ON WINE AND SPIRITS.						
Extra remuneration not continued	– – –	78 4 –	– – –	78 4 –		
12.—TRIBUNALS, POLICE AND PRISONS.						
A Clerk, Collector's Office	– – –	50 – –				
Matron over Female Convicts	10 – –	– – –	– – –	63 3 –		
A Constable	– – –	23 3 –				
14.—CHARITABLE INSTITUTIONS.						
Purveyor, from £.176. 19. to £.201. 19.	25 – –	– – –				
Result of a new arrangement	– – –	10 1 –	14 19 –			
17.—MISCELLANEOUS.						
2 Secretaries of Code Commission, their remuneration averaging for one about £.150., and the other about £.133.	283 – –	– – –				
A Clerk to same Commission	50 – –	– – –				
Commanding Engineer	– – –	182 12 6	150 7 6			
£.	388 – –	402 18 6	165 6 6	180 5 –	Net Reduction in 1831	14 18 6
					Annual Rate on the 31st Dec. 1831	45,418 9 8

ALTERATIONS IN 1832.

1.—PALACE ESTABLISHMENT.					
Lieutenant Governor, from £. 4,000. to £. 5,000.	1,000 – –	– – –			
His Allowance for Coach and Calesse	– – –	542 – –	158 – –		
Private Secretary	– – –	300 – –			
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.					
The Third Assistant	– – –	257 3 –			
Chief Secretary's Calesse Allowance	– – –	83 7 –	– – –	320 10 –	
A Clerk, from £. 20. 12. to £. 40. 12.	20 – –	– – –			
3.—TREASURY.					
Treasurer's Calesse Allowance	– – –	83 7 –	– – –	83 7 –	
5.—CUSTOMS.					
Remuneration for Extra Service, from £. 36. 13. 4. to £. 50.	13 6 8	– – –	39 1 8		
A Messenger, branch of Port Dues	25 15 –	– – –			
6.—QUARANTINE.					
Superintendent's Allowance for Forage	– – –	76 1 10			
Guardian of the second class	– – –	47 7 –			
Captain of the Port, from £. 205. 15. to £. 200.	– – –	5 15 –	– – –	145 3 10	
Captain of the Lazaretto, from £. 216. to £. 200.	– – –	16 – –			
7.—MARINE POLICE.					
Keeper of Lighthouse, from £. 13. 15. to £. 36.	22 5 –	– – –			
4 Boatmen, at £. 30. 18. each	– – –	123 12 –	– – –	101 7 –	
8.—PORT DUES.					
The whole Establishment	– – –	282 19 –	– – –	282 19 –	
9.—LAND REVENUE AND PUBLIC WORKS.					
Assistant Director of Works, from £. 128. 12. to £. 100.	– – –	28 12 –			
Result of minor arrangements	– – –	17 17 –	– – –	46 9 –	
10.—EXCISE ON WINE AND SPIRITS.					
Collector, from £. 154. 6. to £. 200.	45 14 –	– – –	45 14 –		
12.—TRIBUNALS, POLICE AND PRISONS.					
A Magistrate of Executive Police, at £. 350., instead of the Deputy Inspector General at £. 260. 4. (including Calesse Allowance)	89 16 –	– – –			
Calesse Allowance of First Judicial Magistrate	– – –	50 – –			
An Attorney General	800 – –	– – –	723 16 –		
Minor Reductions in Salaries of Police Serjeants and Constables	– – –	3 14 –			
Collector's Clerk, from £. 82. 6. to £. 70.	– – –	12 6 –			
The Allowance to the Chief Justice, referred to in the Alterations for 1828	– – –	100 – –			

ALTERATIONS IN 1828—*continued.*	INCREASE.	REDUCTION.	RESULT ON EACH BRANCH. INCREASE.	RESULT ON EACH BRANCH. REDUCTION.		
14.—CHARITABLE INSTITUTIONS.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.
To a Clerk, for extra duty in the Bakery	20 – –	– – –				
An Apothecary of the Public Dispensary	30 – –	– – –	– – –	111 19 –		
A Porter of the same	15 – –	– – –				
A Member of the Permanent Committee	– – –	176 19 –				
£.	2,081 16 8	2,206 19 10	966 11 8	1,091 14 10	Net Reduction in 1832	125 3 2
					Annual Rate on the 31st Dec. 1832	45,293 6 6
ALTERATIONS IN 1833.						
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.						
Result of an arrangement in the Printing-office	– – –	37 9 –	– – –	37 9 –		
3.—TREASURY.						
Treasurer, from £. 1,000. to £. 900.	– – –	100 – –	– – –	100 8 –		
Result of an arrangement	– – –	– 8 –				
4.—AUDIT OF ACCOUNTS.						
First Clerk, from £. 154. 6. to £. 120.	– – –	34 6 –	– – –	35 5 –		
A Clerk, from £. 75. 4. to £. 75.	– – –	– 4 –				
Messenger, from £. 25. 15. to £. 25.	– – –	– 15 –				
5.—CUSTOMS.						
The extra remuneration not continued	– – –	50 – –	– – –	50 – –		
6.—QUARANTINE.						
Secretary, Board of Health, from £. 100. to £. 47. 2.	– – –	52 18 –	– – –	52 18 –		
9.—LAND REVENUE AND PUBLIC WORKS.						
Collector, from £. 750. to £. 700.	– – –	50 – –	– – –	50 – –		
10.—EXCISE ON WINE AND SPIRITS.						
A Gauger	100 – –	– – –	100 – –			
11.—VENDUE OFFICE.						
The whole Establishment	– – –	393 4 –	– – –	393 4 –		
12.—TRIBUNALS, POLICE AND PRISONS.						
A Clerk of the Police	– – –	46 6 –				
15 Constables, from £. 5. 3. to £. 10. each	72 15 –	– – –				
A Chaplain for the Prisons	20 – –	– – –	78 17 –			
Allowed the Attorney General for a Clerk	40 – –	– – –				
Result of minor Arrangements	– – –	7 12 –				
13.—GRAIN DEPARTMENT.						
3 Clerks, together from £. 157. 7. to £. 147. 10.	– – –	9 17 –	– – –	29 17 –		
Money Porter	– – –	20 – –				

14.—Charitable Institutions.						
Result of a new Arrangement	- - -	- 1 -				
3 Nurses, at £. 10. each	- - -	- - -				
A Surgeon, from £. 150. to £. 174. 5.	24 5 -	30 - -	54 4 -			
To the Purveyor, for extra duty	30 - -	- - -				
Porter of the Dispensary, from £. 15. to £. 20.	5 - -	- - -				
A Gravedigger	25 - -	- - -				
15.—University of Literature.						
7 Professors, at £. 25. each	175 - -	- - -	235 - -			
A Teacher of the English Language	60 - -	- - -				
17.—Miscellaneous.						
Agent in London, from £. 500. to £. 250.	- - -	250 - -	- - -	250 - -	Net Reduction in 1833 -	531 - -
£.	552 - -	1,083 - -	468 1 -	999 1 -	Annual Rate on the 31st Dec. 1833 -	44,762 6 6

ALTERATIONS in 1834.

2.—Chief Secretary's and Dependent Offices.						
2 Clerks, Post Office, together from £. 149. 4. to £. 80.	- - -	69 4 -	- - -	69 4 -		
5.—Customs.						
A Clerk, from £. 92. 12. to £. 100.	7 8 -	- - -	7 8 -			
6.—Quarantine.						
Secretary, Board of Health, from £. 47. 2. to £. 41. 13. 4.	- - -	5 8 8	- - -	5 8 8		
7.—Marine Police.						
An Assistant	- - -	154 6 -	- - -	158 12 -		
Another, from £. 154. 6. to £. 150.	- - -	4 6 -				
10.—Excise on Wine and Spirits.						
A Gauger	- - -	61 15 -	- - -	41 15 -		
Clerk, from £. 61. 15. to £. 81. 15.	20 - -	- - -				
12.—Tribunals, Police and Prisons.						
A Police Serjeant, from £. 25. 15. to £. 25.	- - -	- 15 -	- - -	- 15 -		
15.—University of Literature.						
A new general arrangement of the Institution, by which the increase is from £. 828. 10. to £ 1,010.	181 10 -	- - -	181 10 -			
17.—Miscellaneous.						
2 Secretaries of the Code Commission, settled at £. 150. each; difference from the estimated rate of £. 283. for both	17 - -	- - -	319 9 -			
3 Members of the said Commission, together	302 9 -	- - -				
£.	528 7 -	295 14 8	508 7 -	275 14 8	Net Increase in 1834 - -	232 12 4
					Annual Rate on 31st December 1834 - - - - - - - - - £.	44,994 18 10

(the distribution of which is shown in the Fifth of these Returns.)

Malta,
29 December 1835.

Wm Hy Thornton,
Auditor General.

SALARIES, MALTA.—FIFTH RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN, showing the ANNUAL RATE and AMOUNT of all SALARIES and other PECUNIARY ALLOWANCES derived from GOVERNMENT, by Persons holding Situations in or under the CIVIL GOVERNMENT of MALTA, as borne on the 31st day of December 1834.

Note.—In the first four of these Returns, extra Appointments have not been distinguished from the established Situations, many of the former having in the interval become fixed, while some Salaries have been removed from the establishment and continued as extra; but in the present Return, wherein the state at the termination of the required period is shown, the distinction of the extra Emoluments will be found.

	31st December 1834. ANNUAL RATE. £.	s.	d.
1.—PALACE ESTABLISHMENT.			
Lieutenant-Governor	5,000	–	–
Chaplain	300	–	–
Clerk to Chaplain	16	15	–
Keeper of the Apartments and Messenger	51	9	–
Lamplighter	38	12	–
A Messenger	46	6	–
Another	41	3	–
Two Pilots of the Signal Tower, at 46*l.* 6*s.* each	92	12	–
	5,586	17	–
2.—CHIEF SECRETARY'S AND DEPENDENT OFFICES.			
Chief Secretary to Government	1,500	–	–
First Assistant	428	12	–
Second Assistant	285	14	–
A Clerk	169	15	–
Another	125	–	–
Another	113	3	–
Another	102	18	–
Another	92	12	–
Another	90	15	–
Another	82	6	–
Another, 40*l.* 12*s.*, of which fixed	20	12	–
Two Messengers, 41*l.* 3*s.*, and 36*l.*	77	3	–
Three others, at 25*l.* 15*s.* each	77	5	–
Post-office — Superintendent	257	3	–
Post-office — Clerk	55	–	–
Post-office — Another	25	–	–
Post-office — Messenger	25	15	–
Printing-office and Gov^{t} Gazette — Superintendent and Editor	257	3	–
Printing-office and Gov^{t} Gazette — Overseer	69	–	–
Printing-office and Gov^{t} Gazette — Three Compositors, at 46*l.* 6*s.* each	138	18	–
Printing-office and Gov^{t} Gazette — Two others, at 39*l.* and 30*l.*	69	–	–
Printing-office and Gov^{t} Gazette — Six Pressmen, at 36*l.* each	216	–	–
Printing-office and Gov^{t} Gazette — Distributor of the Gazette	25	15	–
Extra.—The junior Clerk, made up to 40*l.* 12*s.*	4,304	9	–
Clerk to Commissioners for Notarial Acts	20	–	–
	30	–	–
	4,354	9	–
3.—TREASURY.			
Treasurer	900	–	–
Cashier	428	12	–
First Acountant	128	–	–
Second Accountant	110	–	–
A Clerk	90	–	–
Another	52	–	–
Messenger	36	–	–
Office-keeper	26	–	–
	1,770	12	–
4.—AUDIT OF ACCOUNTS.			
Auditor-General	500	–	–
A Clerk	120	–	–
Another	110	–	–
Another	75	–	–
Messenger	25	–	–
	830	–	–

SALARIES, MALTA.—FIFTH RETURN—*continued.*

	31st December 1834. ANNUAL RATE. £. s. d.
5.—CUSTOMS.	
Collector	400 – –
First Clerk	100 – –
2 Clerks, at 92*l.* 12*s.* each	185 4 –
2 Others, at 61*l.* 15*s.*	123 10 –
2 Others, at 41*l.* 3*s.*	82 6 –
An Office Porter	25 15 –
2 Messengers, at 36*l.* and 25*l.* 15*s.*	61 15 –
Head Weigher	30 18 –
7 Weighers, at 15*l.* 9*s.* each	108 3 –
	1,117 11 –
6.—QUARANTINE.	
Superintendent	800 – –
First Clerk	102 18 –
A Clerk	77 3 –
2 Others, at 67*l.* 15*s.* and 61*l.* 15*s.*	129 10 –
Captain of the Port	200 – –
Captain of the Lazaretto	200 – –
Clerk of the Lazaretto	61 15 –
Director of the Barrier	51 9 –
Head Keeper of the Coradino Barrier	50 – –
Fumigator	51 9 –
Messenger	36 – –
Guardian of the First Class	51 11 –
Keeper of the Lazaretto Parlatory	31 18 –
3 Senior Keepers of the Barrier, at 36*l.* each	108 – –
9 Keepers of the Barrier, at 30*l.* 18*s.*	278 2 –
17 Boatmen, at 32*l.* 19*s.*	560 3 –
	2,789 18 –
Extra.—Allowed the First Clerk, for acting as Secretary to the Board of Health	41 13 4
	2,831 11 4
7.—MARINE POLICE.	
Intendant and Magistrate	350 – –
First Assistant	200 – –
Second Assistant	150 – –
Adjutant and Searcher	133 15 –
Clerk	92 12 –
3 Serjeants, at 41*l.* 3*s.* each	123 9 –
2 Messengers, at 30*l.* 18*s.*	61 16 –
8 Boatmen, at 30*l.* 18*s.*	247 4 –
Overseer of Pontoons	41 3 –
Keeper of Pontoons	20 12 –
Keeper of the Lighthouse	36 – –
Keeper of the Pulverist	36 – –
Porter of the Pulverist	25 15 –
Registrar of the Magistrate's Court	102 18 –
Clerk and Interpreter of the same Court	30 18 –
Coroner	85 15 –
Service against contraband. — 2 Searchers, at 50*l.* each	100 – –
Service against contraband. — 2 Serjeants, at 41*l.* 3*s.*	82 6 –
Service against contraband. — 4 Boatmen, at 23*l.*	92 – –
Service against contraband. — 2 Boys (in the boats), at 11*l.* 10*s.*	23 – –
	2,035 3 –
8.—(Ceased.)	
9.—LAND REVENUE AND PUBLIC WORKS.	
Collector of Land Revenue	700 – –
Assistant Collector	200 – –
A Clerk	80 – –
4 Others, at 60*l.* 18*s.* each	243 12 –
Another	50 – –
2 Others, at 40*l.* each	80 – –
Notary and Keeper of Records	120 – –
2 Messengers, at 30*l.* 18*s.* each	61 16 –
A Summoning Messenger	18 – –
2 Others, at 7*l.* 10*s.* each	15 – –
3 Country Messengers, at 7*l.* 15*s.* each	23 5 –
Surveyor and Draughtsman	85 15 –
3 Keepers of Aqueducts, at 41*l.* 3*s.* each	123 9 –
2 Others, at 24*l.* each	48 – –
Superintendent of the Botanical Garden	15 9 –
Head Gardener, same garden	25 12 –
3 Gardeners, same garden, at 20*l.* 12*s.* each	61 16 –

SALARIES, MALTA.—FIFTH RETURN—*continued.*

		£.	s.	d.
		31st December 1834. ANNUAL RATE.		
9.—LAND REVENUE AND PUBLIC WORKS—*continued.*				
2 Labourers, same garden, 18*l.* 11*s.* and 15*l.* 12*s.*		34	3	–
Keeper of the Fungus Rock of Malta		8	12	–
Director of Government Works		500	–	–
His Assistant		100	–	–
Clerk of Stores		82	6	–
2 Clerks, at 51*l.* 9*s.* each		102	18	–
Messenger		30	18	–
Head Superintendent of Artificers		111	9	–
His Assistant		85	15	–
Clerk of Works		46	6	–
2 Overseers of Works, at 41*l.* 3*s.* each		82	6	–
Foreman of Carpenters		77	3	–
Foreman of Blacksmiths		77	3	–
Painter		36	–	–
Attendant of Stores		33	9	–
Porter of Stores		23	3	–
Island of Gozo: Collector	£. 171 9 –			
His per centage on collections averaged the last nine years	64 1 6			
Allowed for Calesse	20 – –	255	10	6
A Clerk		77	3	–
Another		30	18	–
Keeper of the Fungus Rock		5	3	–
Messenger		20	12	–
Summoning Officer		15	9	–
		3,788	–	6
10.—EXCISE ON WINE AND SPIRITS.				
Collector		200	–	–
Clerk		81	15	–
Gauger		100	–	–
Messenger		30	18	–
Porter of Bonding Stores		18	–	–
		430	13	–
11.—(Ceased.)				
12.—TRIBUNALS, POLICE AND PRISONS.				
Superior Courts: Chief Justice		1,500	–	–
4 Judges, at 428*l.* 12*s.* each		1,714	8	–
Another		350	–	–
Another		308	10	–
Attorney-General		800	–	–
Allowed for a Clerk		40	–	–
King's Counsel		192	18	–
Another		150	–	–
Advocate for the Poor		83	7	–
His Assistant		38	3	–
Registrar of the Criminal Court		82	6	–
His Assistant		51	9	–
Interpreter		41	3	–
Clerk		41	3	–
Porter		30	18	–
Messenger to the Crown Lawyers		20	–	–
Inferior Courts: First Magistrate		342	18	–
A Magistrate		257	3	–
2 Others, at 180*l.* each		360	–	–
A Registrar		92	12	–
2 Others, at 51*l.* 9*s.* each		102	18	–
Clerk		51	9	–
Interpreter		41	3	–
Porter		36	–	–
Another		35	–	–
Lord Lieutenancy: 6 Lord Lieutenants, at 85*l.* 15*s.* each		514	10	–
A Deputy Lieutenant		61	15	–
5 Others, at 51*l.* 9*s.* each		257	5	–
4 Others, at 41*l.* 3*s.*		164	12	–
11 Others, at 30*l.* 18*s.*		339	18	–
Executive Police: Magistrate		350	–	–
His Assistant		123	9	–
A Clerk		82	6	–
2 Others, at 61*l.* 15*s.* each		123	10	–
Another		55	–	–
Another		50	–	–
Medical Officer		144	–	–

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SALARIES, MALTA.—FIFTH RETURN—*continued.*

		31st December 1834. ANNUAL RATE. £. s. d.
	12.—TRIBUNALS, POLICE AND PRISONS—*continued.*	
Executive Police.	Messenger	25 15 –
	First Adjutant	102 18 –
	A Deputy Adjutant	82 6 –
	His Clerk	24 – –
	2 Deputy Adjutants, at 51*l.* 9*s.* each	102 18 –
	2 Others, at 41*l.* 3*s.*	82 6 –
	Another	40 – –
	2 Serjeant Majors, 30*l.* 18*s.* and 30*l.*	60 18 –
	26 Serjeants, at 25*l.* 15*s.* each	669 10 –
	7 Others, at 25*l.*	175 – –
	7 Constables, at 23*l.* 3*s.*	162 1 –
	8 Others, at 17*l.* 3*s.*	137 4 –
	2 Others, at 10*l.* 6*s.*	20 12 –
	14 Others, at 10*l.*	140 – –
Prisons	*Great Prison:*	
	Principal Gaoler	82 6 –
	Under Gaoler	41 3 –
	Clerk	41 3 –
	6 Turnkeys, at 20*l.* 12*s.* each	123 12 –
	Matron over Female Convicts	10 – –
	Gaoler; Debtors' Division	26 15
	Castellania:	
	Gaoler	41 3 –
	Under Gaoler	26 15
	2 Turnkeys, at 20*l.* 12*s.* each	41 4
	Executioner	38 12 –
	Trumpeter	12 18 –
Collection of Dues.	Collector	171 9 –
	Clerk	70 – –
	Messenger	25 15 –
Island of Gozo.	Lieutenant-Governor £.257 3 –	340 10 –
	Calesse Allowance 83 7 –	
	His Secretary	77 3 –
	3 Judicial Magistrates, at 128*l.* 12*s.* each	385 16 –
	King's Counsel	51 9 –
	Advocate for the Poor	10 – –
	2 Court Registrars, at 61*l.* 15*s.* each	123 10 –
	An Assistant Registrar	25 15 –
	2 Porters and Messengers, at 15*l.* 9*s.* each	30 18 –
	Police Adjutant	57 3 –
	Police Clerk	42 – –
	4 Police Serjeants, at 20*l.* 12*s.* each	82 8 –
	A Constable	10 6 –
	3 Others, at 5*l.* 3*s.* each	15 9 –
	4 Others, at 6*l.*	24 – –
	2 Others, at 3*l.* 9*s.*	6 18 –
	4 Syndics of Casals, at 12*l.*	48 – –
	Guardian of the Port of Migiarro	46 6 –
	Guardian of the Coast	11 10 –
	Gaoler	20 12 –
		13,017 9 –
	Extra.—2 Police Judicial Magistrates, at 90*l.* each	180 – –
	Gaoler of the Prison at Senglea	30 – –
	3 Turnkeys of the same Prison, at 20*l.* each	60 – –
	Medical Attendant of the same Prison	5 – –
	Chaplain for the Prisons	20 – –
	3 Police Serjeants, at 25*l.* 15*s.* each	77 5 –
	Another	25 – –
	2 Constables, at 23*l.* 3*s.* and 10*l.*	33 3 –
		13,447 17 –
	13.—GRAIN DEPARTMENT.	
	Superintendent and Collectors	500 – –
	Government Agent and Broker	600 – –
	First Clerk	164 12 –
	Cashier	113 3 –
	A Clerk	102 18 –
	2 Others, at 60*l.* and 50*l.*	110 – –
	2 Porters and Messengers, at 30*l.* 18*s.* each	61 16 –

(*continued.*)

SALARIES, MALTA.—FIFTH RETURN—*continued.*

	31st December 1834. ANNUAL RATE. £. s. d.
13.—GRAIN DEPARTMENT—*continued.*	
2 Storekeepers, at 84 *l.* each	168 – –
2 Assistant Storekeepers, 63 *l.* and 48 *l.*	111 – –
Overseer of Grain Guards	63 – –
His Assistant	31 10 –
2 Grain Attendants, at 30 *l.* 18 *s.* each	61 16 –
Regulator of Corn Measures	12 18 –
	2,100 13 –
Extra.—Allowance to the Cashier	20 – –
A Clerk	37 10 –
A Grain Attendant	30 18 –
	2,189 1 –
13 (A.)—MARKETS.	
Magistrate £. 205. 15	
Allowance for Calesse and expenses 50. –	255 15 –
A Clerk	77 3 –
2 Others, 51 *l.* 9 *s.*, and 41 *l.* 3 *s.*	92 12 –
2 Overseers, at 41 *l.* 3 *s.* each	82 6 –
3 Under Overseers, at 20 *l.* 12 *s.*	61 16 –
Messenger	15 9 –
Regulator of the Town Clock, Vittoriosa	2 12 –
Serjeant	25 15 –
Island of Gozo. Magistrate	61 15 –
Island of Gozo. Clerk	30 1 –
Island of Gozo. 3 Overseers, at 7 *l.* 15 *s.* each	23 5 –
Island of Gozo. Messenger	10 6 –
	738 15 –
14.—CHARITABLE INSTITUTIONS.	
A Member of the Permanent Committee	100 – –
Purveyor	201 19 –
First Clerk	120 – –
2 Clerks, at 72 *l.* each	144 – –
2 Others, 51 *l.* 9 *s.* and 46 *l.* 6 *s.*	97 15 –
Storekeeper	61 15 –
Messenger of the Medical Board	30 18 –
Messenger	15 9 –
"Ospizj" or Asylums. 2 Chaplains, at 25 *l.* 14 *s.* each	51 8 –
"Ospizj" or Asylums. Surgeon	30 18 –
"Ospizj" or Asylums. First Keeper of Male Maniacs	51 9 –
"Ospizj" or Asylums. First Keeper of Female Maniacs	12 10 –
"Ospizj" or Asylums. Steward	36 – –
"Ospizj" or Asylums. 2 Servants, at 18 *l.* each	36 – –
"Ospizj" or Asylums. Captain of Invalids	6 4 –
"Ospizj" or Asylums. 2 Servants, at 15 *l.* 9 *s.* each	30 18 –
"Ospizj" or Asylums. Cook	20 12 –
"Ospizj" or Asylums. Under Keeper of Male Maniacs	30 18 –
"Ospizj" or Asylums. Under Keeper of Female Maniacs	10 – –
"Ospizj" or Asylums. 2 Servants, at 10 *l.* 6 *s.* each	20 12 –
"Ospizj" or Asylums. 11 Others, at 2 *l.* 12 *s.*	28 12 –
"Ospizj" or Asylums. Another	3 2 –
Hospitals. A Surgeon	174 5 –
Hospitals. Another	123 9 –
Hospitals. A Physician	120 – –
Hospitals. 3 Medical Officers, at 61 *l.* 15 *s.* each	185 5 –
Hospitals. One of whom also Lecturer on Midwifery	10 6 –
Hospitals. An Assistant Surgeon	51 9 –
Hospitals. 4 Medical Officers, at 41 *l.* 3 *s.* each	164 12 –
Hospitals. An Assistant Surgeon	37 1 –
Hospitals. 4 Others, at 30 *l.* 18 *s.* each	123 12 –
Hospitals. Another	29 3 –
Hospitals. Apothecary	82 6 –
Hospitals. 2 Assistant Apothecaries, 61 *l.* 15 *s.* and 36 *l.*	97 15 –
Hospitals. 4 Chaplains, at 25 *l.* 15 *s.* each	103 – –
Hospitals. Cook	30 – –
Hospitals. 2 Wardkeepers, at 30 *l.* each	60 – –
Hospitals. 19 Servants, at 25 *l.* each	475 – –

SALARIES, MALTA.—FIFTH RETURN—*continued.*

	31st December 1834. ANNUAL RATE. £. s. d.
14.—CHARITABLE INSTITUTIONS—*continued.*	
Hospitals. 6 Others, at 20 *l.*	120 – –
Hospitals. 10 Others, at 15 *l.*	150 – –
Hospitals. Keeper of the Burial Ground	18 – –
3 Physicians to the Poor of the "Three Cities," at 6 *l.* 18 *s.* each	20 14 –
A Surgeon to the Poor of Senglea	2 15 –
A Physician to the Poor of Floriana	5 3 –
Physician attending British Vessels in Quarantine	20 – –
Hospital of Gozo. Purveyor	30 – –
Hospital of Gozo. Clerk	15 – –
Hospital of Gozo. A Surgeon	35 8 –
Hospital of Gozo. 4 Medical Officers, at 20 *l.* each	80 – –
Hospital of Gozo. Chaplain	5 – –
Hospital of Gozo. Midwife	1 14 –
Hospital of Gozo. Wardkeeper	15 – –
Hospital of Gozo. Servant	12 10 –
Hospital of Gozo. Cook	10 – –
	3,549 6 –
Extra.—Allowed the Purveyor for extra duty	30 – –
Allowed a Clerk for extra duty in the Bakery	20 – –
Apothecary of the Public Dispensary	30 – –
Porter of the same Dispensary	20 – –
A Gravedigger	25 – –
	3,674 6 –
15.—UNIVERSITY OF LITERATURE.	
Rector	80 – –
2 Professors, at 50 *l.* each	100 – –
9 Others, at 35 *l.*	315 – –
4 Others, at 25 *l.*	100 – –
2 Others, at 15 *l.*	30 – –
Master of the English Language	60 – –
8 Masters, at 25 *l.* each	200 – –
2 Others, at 20 *l.*	40 – –
2 Prefects, 20 *l.* and 15 *l.*	35 – –
Beadle	20 – –
2 Porters, at 15 *l.* each	30 – –
	1,010 – –
16.—PUBLIC LIBRARY.	
Librarian	123 9 –
His Assistant	61 15 –
Deliverer of Books	30 18 –
Porter	20 12 –
	236 14 –
17.—MISCELLANEOUS.	
Colonial Agent General	250 – –
TEMPORARY OR EXTRA.	
2 Commissioners for the formation of new Codes of Law, at 128 *l.* 12 *s.* each	257 4 –
Another, whose salary (in another capacity) is made up to the same rate	45 5 –
2 Secretaries to the same Commission, at 150 *l.* each	300 – –
Their Clerk	50 – –
Allowed the First Accountant of the Treasury (stated on the Average of the last five years) for assistance to the Commission for investigating Claims originating during the Blockade in 1798, 1799 and 1800	33 – –
Allowed the Notary of the Land Revenue Office (stated on a like average) for assistance to the same Commission	18 – –
	953 9 –

SUMMARY OF THE FOREGOING PARTICULARS:

BRANCHES OF SERVICE.	Annual Rate of Salaries on the 31st Dec. 1834. £.	s.	d.
1. Palace Establishment	5,586	17	–
2. Chief Secretary's and Dependent Offices	4,354	9	–
3. Treasury	1,770	12	–
4. Audit of Accounts	830	–	–
5. Customs	1,117	11	–
6. Quarantine	2,831	11	4
7. Marine Police	2,035	3	–
9. Land Revenue and Public Works	3,788	–	6
10. Excise on Wine and Spirits	430	13	–
12. Tribunals, Police and Prisons	13,447	17	–
13. Grain Department	2,189	1	–
13 (A). Markets	738	15	–
14. Charitable Institutions	3,674	6	–
15. University of Literature	1,010	–	–
16. Public Library	236	14	–
17. Miscellaneous	953	9	–
£.	44,994	18	10

The classification has hitherto been in a great measure arbitrary, for the purpose of preserving that uniformity which is essential for the comparison given in the Sixth of these Returns; but the following Recapitulation, extracted from the Public Accounts for December 1834, will show the real classification of these services:—

	DEPARTMENTS.	Salaries paid in Dec. 1834, at the annual Rate of £.	s.	d.
Fixed Establishment.	Lieutenant Governor's Establishment	5,494	5	–
	Chief Secretary's Office	4,304	9	–
	Treasurer's Office	1,770	12	–
	Audit Office	830	–	–
	Customs	1,117	11	–
	Quarantine	2,789	18	–
	Marine Police	1,830	9	–
	Land Revenue	1,973	17	–
	Public Works and Repairs	1,386	16	–
	Excise on Wine and Spirits	430	13	–
	Judicial Departments	11,526	13	–
	Markets	563	8	–
	Grain Department	2,100	13	–
	Charitable Institutions	771	16	–
	University and Lyceum	1,010	–	–
	Government Library	236	14	–
	In Gozo:			
	Lieutenant-Governor's (of Gozo) Establishment	334	6	–
	Land Revenue	320	14	–
	Judicial Departments	992	–	–
	Markets	125	7	–
	Charitable Institutions	45	–	–
Fixed Contingencies.	Marine Police	297	6	–
	Judicial Departments	40	–	–
	Markets	50	–	–
	Charitable Institutions	2,572	18	–
	Lieutenant Governor of Gozo	83	7	–
	Land Revenue, Gozo	20	–	–
	Charitable Institutions, Gozo	159	12	–
Unfixed Contingencies.	Chief Secretary's Office	50	–	–
	Quarantine	41	13	4
	Judicial Departments	430	8	–
	Grain Department	68	8	–
	Charitable Institutions	125	–	–
		43,895	13	4
Add,	Vacant on the Fixed Establishment—Land Revenue	20	12	–
	Ditto ditto Judicial	41	3	–
	Agent in London, paid there	250	–	–
	Fixed Contingencies—Land Revenue, Gozo, averaged on 9 years	64	1	6
	Unclassed Services, averaged on 5 years	51	–	–
	Unfixed Contingencies—Grain Department; in arrear	20	–	–
	Unclassed Service; in arrear at the rate of	652	–	–
£.		44,994	18	10

Malta, 29 Dec. 1835.

Wm Hy Thornton,
Acct Genl.

SALARIES, MALTA.—SIXTH RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN, exhibiting in a COMPARATIVE VIEW the ANNUAL RATE and AMOUNT of all SALARIES and other PECUNIARY ALLOWANCES derived from Government by Persons holding Situations in or under the CIVIL GOVERNMENT of *Malta*, from the 1st January 1816 to the 31st December 1834, with a glance to the state of such EMOLUMENTS as borne on the 30th April 1813.

Note.—From the beginning of 1826 there is a latent Increase in consequence of the Current Dollar having been paid at 50 *d.* instead of 51 ½ *d.* Sterling, the difference being precisely Three per Cent. on the new Rate.

Annual Rate in Pounds Sterling on the 30 April 1813.		Annual Rate in Pounds Sterling on the 1 Jan. 1816.	31st December 1816.	1817.	1818.	1819.	1820.	1821.	1822.	1823.	1824.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.
£.		£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
7,666	1. Palace Establishment - -	6,413	7,475	7,607	7,648	7,648	7,648	7,648	7,648	7,664	6,813	6,863	7,035	5,936	5,439	5,439	5,439	5,429	5,587	5,587	5,587
4,178	2. Chief Secretary's and Dependent Offices - -	4,815	4,908	4,807	4,781	4,644	4,779	4,936	5,249	5,224	5,073	5,142	5,398	5,057	4,709	4,782	4,802	4,782	4,461	4,424	4,354
1,751	3. Treasury - - - -	1,883	1,800	1,826	1,826	1,958	1,958	1,958	1,958	1,958	1,958	1,959	1,954	1,954	1,954	1,954	1,954	1,954	1,871	1,771	1,771
183	4. Audit of Accounts - -	1,067	1,067	1,235	1,240	845	1,041	1,041	1,267	1,164	958	866	865	865	865	865	865	865	865	830	830
1,121	5. Customs - - - -	1,160	1,306	1,689	1,689	1,718	1,718	1,672	1,269	1,269	1,320	1,320	1,334	1,334	1,130	1,130	1,130	1,121	1,160	1,110	1,117
2,716	6. Quarantine - - - -	3,558	3,674	3,495	3,028	3,028	2,975	2,975	2,991	2,955	2,914	2,915	3,010	3,010	3,025	3,025	3,035	3,035	2,890	2,837	2,832
784	7. Marine Police - - -	2,375	2,375	2,387	2,387	2,172	2,172	2,172	2,166	2,141	2,115	2,115	2,112	2,244	2,442	2,304	2,295	2,295	2,194	2,194	2,035
297	8. Port Dues - - - -	278	278	278	278	278	283	283	283	283	283	283	283	283	283	283	283	283	—	—	—
2,390	9. Land Revenue & Public Works	3,262	3,365	3,264	3,408	3,670	3,716	3,711	3,765	3,790	3,747	3,857	3,962	4,025	3,985	4,031	3,884	3,884	3,838	3,788	3,788
224	10. Excise on Wine and Spirits -	254	254	249	249	299	309	309	309	309	309	309	309	309	309	327	405	327	372	472	431
4,894	11. Vendue Office - - -	795	654	501	657	657	657	439	439	398	398	398	393	393	393	393	393	393	393	—	—
9,325	12. Tribunals, Police and Prisons	11,702	11,921	12,342	11,945	12,279	13,031	13,090	12,491	12,009	13,811	14,303	14,325	13,213	12,524	12,711	12,709	12,646	13,370	13,448	13,448
4,481	13. Grain Department - -	4,993	4,948	5,005	4,196	3,360	3,216	3,216	2,285	2,319	2,525	2,675	2,506	2,219	2,219	2,219	2,219	2,219	2,219	2,189	2,189
—	13 (A.) Market (from Grain Department) - - -	- -	- -	- -	- -	760	680	680	680	706	706	706	704	729	729	729	739	739	739	739	739
3,911	14. Charitable Institutions - -	3,847	4,041	3,929	3,990	4,134	4,093	3,916	3,890	3,890	3,900	3,936	3,992	3,992	3,992	3,992	3,717	3,732	3,620	3,674	3,674
583	15. University of Literature -	532	532	532	532	532	532	532	558	593	593	593	593	593	593	593	593	593	593	828	1,010
97	16. Public Library - - -	103	103	103	103	103	103	103	103	103	237	237	237	237	237	237	237	237	237	237	237
290	17. Miscellaneous - - -	1,039	1,039	1,068	1,068	1,568	1,568	1,568	1,568	1,465	1,051	952	1,314	949	865	865	734	884	884	634	953
£. 44,891	TOTAL - - £.	48,076	49,740	50,317	49,025	49,653	50,479	50,249	48,919	48,240	48,711	49,429	50,326	47,342	45,693	45,879	45,433	45,418	45,293	44,762	44,995

Malta, 29 December 1835.

Wm Hy Thornton, Audr Genl.

SALARIES, MALTA.—SEVENTH RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN, distinguishing by Name the Individuals who, from the 1st January 1816 to the 31st December 1834, respectively derived from Employment in or under the Civil Government of *Malta*, SALARIES or other EMOLUMENTS to the amount of £.150 Sterling, or upwards, and showing the Amount so received by each Individual.

Notes.—1. In consequence of the limited space, distinctions of rank below the degree of Knight, as likewise the distinctive initials of Orders of Knighthood, are omitted; and where titles are given, it does not follow as a thing of course, that the individuals bore them at the commencement, or indeed so early as during any portion of the respective periods.—2. Salaries originally fixed in Maltese currency are converted into sterling, at the rate of 4*s.* 3½*d.* the current dollar of 2½ *Sc.*, until the 1st January 1826, when they are stated in the sterling paid.—3. Fractions of a pound are omitted when under 10*s.*; are made up to a pound when above; and when exactly 10*s.*, the total of pounds is left or made an even number.

	AMOUNT IN POUNDS STERLING PAID TO EACH INDIVIDUAL DURING THE YEARS																			
	1816.	1817.	1818.	1819.	1820.	1821.	1822.	1823.	1824.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	
The Right hon. Sir Tho. Maitland, governor	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	222	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Coach and Calesse allowance - -	558	558	558	558	558	558	558	558	26											
His private Secretary received - -	500	500	500	500	500	500	500	500	22											
The Rev. John C. Miller, chaplain - -	300	300	300	300	300	300	300	300	108	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Superseded.
Sir Alex. Wood, chief secretary - -	1,500	1,000	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Resigned.
Calesse allowance - - - - -	86	57																		
Henry Fletcher, 1st assistant, chief secretary's office - - - - - -	429	165	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Superseded.
Vincenzo Mamo, 2d ditto - - - -	286	286	286	286	286	286	286	286	286	286	286	286	286	286	286	286	286	286	286	Remained.
Joint Editor of Gazette (two months)	- -	- -	- -	14																
Joint Secretary, Code Commission -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	12	133	133	134	- - Remained at the rate of 150*l.* *See* at the end of the 8th Return.
William Sim, 3d assist. chief sec. office - } Superintendent of post-office - - }	360	139																		
First Assistant, chief sec. office - -	- -	264	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	Remained.
Donald C. Cormack, clerk, same office -	215	107	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Discontinued.
George Heaslop, ditto (two months) -	29	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Reduced below 150*l.*
Gust. Adolf. Braccini, editor of Gazette (three months) - - - - - -	47	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Resigned.
Sir Rich. Plasket, acting treasurer - -	500	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Relieved.
Calesse allowance - - - -	86																			
Sir Vinc. Casolani, cashier, Treasury -	343	343	343	408	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	Remained.
Editor of the Gazette - - -	77	103	103	26																
James Toole, auditor of accounts - -	274	274	274	274	274	274	251	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Pensioned.
William H. Thornton, auditor of arrears -	429	429	429																	
Successively commissioner of supply and auditor of accounts - - -	- -	- -	- -	500	500	500	500	500	500	500	500	500	500	500	500	500	500	500	500	Remained.
Received a remuneration for additional duty in auditing arrears, which is divided summarily through five years	- -	- -	- -	200	200	200	200	200												
Henry Harper, assist. arrear audit - -	172	172	172																	
First clerk, Board of Supply - -	- -	- -	- -	77																
Superintendent of printing-office and editor of the Gazette - - -	- -	- -	- -	150	258	258	258	258	258	258	134	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Francis Muller, collector of Customs -	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	371	- -	- -	- -	Died.
Rob. Grieves, superintendent of quarantine	800	800	800	800	800	800	800	800	800	441	- -	- -	- -	- -	- -	- -	- -	- -	- -	Pensioned.
Allowed in lieu of forage - - -	- -	- -	- -	- -	- -	- -	38	78	78	43										

Pietro Armano, registrar. Quarantine	343	343	77	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
Dr. Luigi Camana, pratique master, and member of Charitable Committee	209	209	157	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Filippo Pulis, captain of the Lazaretto	216	216	216	216	216	216	216	216	216	216	216	216	216	216	216	216	- -	- -	- -	- -	- -	Superseded.
Gio. Batt. Schembri, captain of the port	206	206	206	206	206	206	206	206	206	206	206	206	206	206	206	206	51	- -	- -	- -	- -	Pensioned.
Secretary, Board of Health	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	74	100	100	100	100	100	50				
Rob. Corner, intendant of Marine Police	429	429	429	41	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Henry St. John, 1st assistant, Marine Police	185	185	185	185	185	185	185	185	185	185	185	185	76	200	200	200	200	200	50			Died.
Intendant - - (7¼ months)	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	180	- -	- -	- -	- -	- -	- -	- -	- -	Appointment cancelled.
Gioacchino Rossi, assistant, Marine Police	154	154	154	154	154	154	154	154	154	154	154	154	154	90	- -	- -	- -	- -	- -	- -	- -	Pensioned (at first upon his successor.)
Antonio Ingiott, ditto - - ditto	154	154	154	154	154	154	154	154	26	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Saverio Tortell, collector of port dues	206	206	206	206	206	206	206	206	206	206	206	206	206	206	206	206	43	- -	- -	- -	- -	Died.
Hector Greig, collector of land revenue	500	500	500	500	500	500	500	500	500	275												
Calesse allowance	86	86	86	86	86	86	86	86	86	48												
A per centage, averaging	- -	- -	- -	153	153	153	153	153	153	76												
Superintendent of Quarantine	- -	- -	- -	- -	- -	- -	- -	- -	- -	359	800	800	800	800	800	800	800	800	800	800	800	Remained.
Allowance in lieu of forage	- -	- -	- -	- -	- -	- -	- -	- -	- -	35	76	76	32									
John Mackenzie, deputy coll. land revenue	262	262	262	262	262	262	262	262	262													
Calesse allowance	- -	- -	- -	15	41	41	41	41	41													
A per centage, averaging	- -	- -	- -	- -	- -	- -	76	76	76													
Director of works and repairs	- -	- -	- -	- -	- -	- -	- -	- -	- -	500	500	500	500	500	500	500	500	500	500	500	500	- - Remained. *See* at the end of the 8th Return.
Matteo Bonavia, head superintendent of civil artificers	172	172	172	172	172	172	172	57	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Archib. Dalzel, collector, and a magistrate in Gozo	258	258	43	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Agostino Serra, clerk, Vendue Office	154	154	154	154	154	128	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Reduced below 150*l.*
Sir Joseph Borg Olivier, president of the High Court of Appeal	515	515	515	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Pensioned.
Sir Joseph N. Zammit, Judge	429	429	429	429	429																	
Vice-president	- -	- -	- -	- -	- -	515	515	353	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
A late Auditor of the Signature	165	165	165	165	165	165	165	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	This portion become a pension.
Dr. Vincenzo Bonavita, Judge	429	429	429	429	429	429	429	429	429	429	429	172	- -	- -	- -	- -	- -	- -	- -	- -	- -	Pensioned.
Sir Joseph C. Debono, Judge	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	143	- -	- -	- -	- -	Pensioned.
Dr. Salv. Scifo, Judge (11¼ months)	403	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Dr. Salv. Chapelle, Judge	429	429	429	429	429	429	429	429	429	429	429	429	429	118	- -	- -	- -	- -	- -	- -	- -	Died.
Dr. Lorenzo Camana, Judge	429	429	429	429	429	429	429	429	429	429	429	429	179	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Waller Rodwell Wright, assessor	1,200	1,200	1,200																			
Calesse allowance	86	86	86																			
President of High Court of Appeal	- -	- -	- -	1,500	1,500	1,500	1,500	1,500	1,500	1,500	458	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Sir Raph. C. Xerri, a late auditor signat.	165	165	165	251	251	251	251	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Pensioned.
Rob. Forrest, Crown Advocate	600	600	250	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Discontinued.
William Wright, various law situations	280	280	280	280	258	258	43	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Resigned.
Dr. George Ogilvie, magistrate	215	215	215	182	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Dr. Giuseppe Zahra, magistrate	215	215	215	215	215	215	215	236	258	257	257	257	257	257	257	257	257	257	257			Remained.
Count Francis Rivarola, inspector gen. police	347	347	347	347	347	347	242	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
Calesse allowance	86	86	86	86	86	86	75															
Filippo Castagna, judicial collector	172	172	172	172	172	172	172	172	172	172	171	171	171	171	- -	- -	- -	- -	- -	- -	- -	Resigned.
Lieut.-Col. John Otto Bayer, commandant in Gozo (172*l.* increased to 250*l.*)	225	250	42	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- - Left the station for a time.
James Wilson, a jurat	1,000	1,000	1,000																			
A Commissioner of Supply	- -	- -	- -	500	500	500	424	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
Sir Joseph V. Testaferrata, a jurat	206	206	206	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- - Appointed a Lord Lieutenant.
Luigi Briffa, a jurat	206	206	206	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Pensioned.

SALARIES, MALTA.—SEVENTH RETURN—*continued.*

	AMOUNT, IN POUNDS STERLING, PAID TO EACH INDIVIDUAL DURING THE YEARS																		
	1816.	1817.	1818.	1819.	1820.	1821.	1822.	1823.	1824.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	—
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	
Dr. Bartolomeo Scifo, a jurat	206	206	206																	
Magistrate for the markets	- -	- -	- -	206	206	206	206	206	206	206	206	206	206	206	206	206	206	206	206	Remained.
Allowance for Calesse and expenses	- -	- -	- -	19	31	31	31	52	52	52	50	50	50	50	50	50	50	50	50	
William Henderson, clerk, Grain Office	154	154	154	154	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Ceased.
James Somerville, assistant, Grain Office	500	500	183																	
Collector and Magistrate, Gozo	- -	- -	164	261	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	Remained.
Calesse allowance	- -	- -	- -	- -	21	21	21	21	21	21	20	20	20	20	20	20	20	20	20	
A per centage, averaging	- -	- -	- -	- -	- -	- -	76	76	76	76	64	64	64	64	64	64	64	64	64	
The Rev. Don Saverio Camana, a member of the Charitable Committee, and Rector of the College	189	189	189	189	189	189	185	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	-- Below 150*l.* on resignation of the rectorship.
The Rev. John T. H. Le Mesurier, a member of the Charitable Committee	177	177	177	177	177	177	177	177	177	177	177	177	177	177	177	177	- -	- -	- -	-- Situation become honorary.
Chaplain (2⅔ months)	- -	- -	- -	- -	- -	- -	- -	- -	65											
Rich. Cleave, purveyor, Charities	177	177	177	177	177	177	177	177	177	177	177	177	177	177	2	- -	- -	- -	- -	Superseded.
Dr. Gius. Ciaja, 1st physician, hospitals	154	118	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Sir Henry E. Bunbury, bart. agent in London	600	600	600	600	600	350	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Resigned.
Sir Geo. Whitmore, com. engineer	366	365	365	365	366	365	365	365	366	365	365	365	366	270	- -	- -	- -	- -	- -	Relieved.
Calesse allowance for inspecting civil works	- -	- -	- -	- -	- -	- -	- -	- -	36	86	83	83								
[All the preceding Individuals date personally from the 1st January 1816, or previously.]																				
Major-Gen. John T. Layard, lieut.-governor	859	1,000	1,000	750	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Relieved.
Rob. W. St. John, assistant, chief secretary's office (3 months)	75	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Discontinued.
Charles J. Addison, assistant, same office	172	258	172	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Resigned.
Charles Godfrey, chief clerk, Customs	25	167	185	215																
Assistant, chief secretary's office	- -	- -	- -	- -	258	258	258	258	258	258	257	257	257	257	257	257	21			
Superintending Post-office (4 months)	- -	- -	- -	- -	50															
Magistrate of executive police	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	321	350	350	Remained.
Baron Muller Friedberg, deputy inspector general of police	123	182	76	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
	27,962																			
Sir Richard Plasket, chief secretary to Government		500	1,500	1,500	1,500	1,500	1,500	1,500	419	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Relieved.
Calesse allowance		29	86	86	86	86	86	86	24											
Rob. MacNab, superintendent, Post-office		92	150	150	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	-- Left on leave, and never resumed.
Joint Editor of Gazette (2 months)		- -	- -	14																
Edw. Lawson Long, assistant, chief secretary's office, and chief clerk, Customs, successively		36	215	215	215	215	18													
Chief clerk, Board of Supply (5 months)		- -	- -	- -	- -	- -	107	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Rob. W. St. John, treasurer to Government		1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	381	- -	- -	- -	- -	- -	- -	- -	Relieved.
Calesse allowance		86	86	86	86	86	86	86	86	86	83	32								

Eleazar Sarfaty, clerk, Audit-office, (advanced from below 150*l.*)	64	154	154	154	154	154	154	154	154	154	154	154	154	154	154	64	- -	Died.
John Lewis Reinaud, comptroller, Customs	86	343	343	343	343	172	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
Dr. Agostino Randon, Judge	222	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	429	Remained.
John Locker, (afterwards first) police magistrate	29	215	343	343	343	343	343	343	343	343	343	343	343	343	343	343	343	Died.
Calesse allowance	- -	- -	52	52	52	52	52	52	50	52	50	50	50	50	50			
Coroner	- -	- -	62	86	86	86	86	86	86	86	86	86	86	86	86	86	86	
Dr. Stefano Grillet, 1st physician, hospital	26	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Reduced below 150*l.*
	28,576																	
Edward Dalzel, deputy vendue master, allowance (not averaging 150*l.*,) made up to a minimum	172	172	172	172	172	172	172	172	167	167	125	- -	- -	- -	- -	- -	- -	Died.
Police Magistrate	- -	- -	- -	- -	- -	18	180	180	180	180	135							
Sir Claude V. Bonnici, crown advocate	258	258	258	258	258	258	258	64										
Judge	- -	- -	- -	- -	- -	- -	- -	- -	322	429	429	429	429	429	429	422	429	Remained.
Charles Tucker, member of Charitable Committee	177	177	177	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Situation reduced.
Major J. Fraser, commandant, Gozo (4 months)	83	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Relieved.
Lieut.-Col. the hon. Gerald de Courcy, ditto (9 do.)	125	62	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Relieved.
	28,560																	
Sir Manley Power, lieutenant-governor	220	1,000	1,000	1,000	1,000	750												
Coach and Calesse allowance after Governor's death	- -	- -	- -	- -	- -	216												
The Private Secretary received after ditto	- -	- -	- -	- -	- -	195												
Allowance during Governor's absence (1,500*l.* per annum)	- -	- -	- -	- -	- -	- -	892	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Relieved.
Edward Francis Phillips, 3d assistant, chief sec. office, afterwards superintending Post-office	258	258	258	258	258	258	258	258	257	257	257	257	257	257	257	257	257	Remained.
Capt. William Symonds, R. N., intendant of Marine Police	225	429	429	429	429	429	429	429	429	87	- -	- -	- -	- -	- -	- -	- -	Resigned.
Gius. Trapani, collector of Excise (increased from below 150*l.*)	116	154	154	154	154	154	154	154	154	154	154	200	154	200	200	200	200	Remained.
Dr. Niccolo Letard, police magistrate (increased from below 150*l.*)	15	180	180	180	180	180	180	180	180	180	180	180	120	- -	- -	- -	- -	Died.
Major Henry Vernon, commandant at Gozo (8 to 9 months)	180	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Relieved.
Lieut.-Col. John Otto Bayer, ditto, and afterwards lieutenant-governor of Gozo	8	250	250	258	258	258	258	171	- -	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Calesse allowance	- -	- -	- -	86	86	86	86	43										
George Ward, successively a commissioner, Board of Supply and the superintendent of the Grain department	300	300	300	300	331	500	500	500	500	500	500	500	500	500	500	500	500	Remained.
Charles Harper, 1st clerk, Board of Supply	108	185	185	185	15													
Deputy Registrar, public Registry-office	- -	- -	- -	- -	170	185	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Reduced below 150*l.*
William Meyer, Consul-general in Albania	495	500	500	500	500	500	125	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- - Discontinued as a charge on Malta.
	28,439																	
Richard J. Bourchier, superintendent, Post-office	- -	100	150	75	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
Edmund F. Chapman, police magistrate (14½ months)	- -	188	72	-	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Resigned.
		28,911																
Dr. Ignazio G. Bonavita, police magistrate (increased from below 150*l.*)	-	135	180	180	180	180	180	135										
Judge	-	- -	- -	- -	- -	- -	- -	77	359	429	429	429	429	429	429			Remained.
The hon. Seymour Bathurst, agent in London	- -	250	600	600	600	450	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	Resigned.
		28,812																

SALARIES, MALTA.—SEVENTH RETURN—*continued.*

	AMOUNT, IN POUNDS STERLING, PAID TO EACH INDIVIDUAL DURING THE YEARS												
	1822.	1823.	1824.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	
	£.	£.	£.	£.	£.	£.	£	£.	£.	£.	£.	£.	£.	
Thomas Wood, clerk, chief secretary's office (increased from below 150*l.*)	26	154	154	154	157	64	- -	- -	- -	- -	- -	- -	- -	Resigned.
Frederick Ross, registrar, public Registry-office	309	268	255	255	255	255	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
Lieut.-Colonel Henry Balneavis, deputy inspector-general of police	22	177	177	177	177	177	177	177	177	177	15	- -	- -	Situation suppressed.
Calesse allowance	11	86	86	86	83	83	83	83	83	83				
James Calvert, Government agent and broker	39	309	309	309	422	600	600	600	600	600	600	600	600	Remained.
A per centage on purchases and sales of grain and cotton, averaging	50	402	402	402	239									
William Lewis, successively first clerk of Customs and Grain Department	90	154	165	165	165	165	165	165	165	165	165	165	165	Remained.
Robert A. Dalzel, first clerk, Customs	26	154	154	154	154	154	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
	28,793													
Giuseppe Casolani, assistant collector, land revenue, (increased from below 150*l.*)	- -	154	154	154	177	200	200	200	200	200	200	200	200	Remained.
		28,185												
The Marquis of Hastings, governor	- -	- -	3,884	5,000	4,583	- -	- -	- -	- -	- -	- -	- -	- -	Died.
Coach and Calesse allowance	- -	- -	316	558	497									
His private secretary received	- -	- -	252	400	367									
The Rev. John Cleugh, chaplain	- -	- -	121	300	300	300	300	300	300	300	300	300	300	--Remained. [*See* at the end of the 8th Return.]
Sir Frederick Hankey, chief secretary to Government	- -	- -	1,081	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	Remained.
Calesse allowance	- -	- -	62	86	83	83	83	83	83	83				
Frederick Sedley, clerk, chief secretary's office (increased from below 150*l.*)	- -	- -	154	154	154	163	170	170	170	170	170	170	170	Remained.
Luigi Casolani (afterwards first) assistant, Marine Police	- -	- -	115	154	154	154	154	154	154	154	154	154	189	- - Remained at the rate of 200*l.*
Edward J. Jarvis, assessor to Government	- -	- -	744	800	800	800	67	- -	- -	- -	- -	- -	- -	Situation suppressed.
Richard J. Bourchier, assistant superintendent of grain	- -	- -	107	258	257	- -	- -	- -	- -	- -	- -	- -	- -	Situation suppressed.
Edward Jafferson, first clerk, Charitable Institutions (increased from below 150*l.*)	- -	- -	26	154	154	154	154	154	13	- -	- -	- -	- -	Reduced below 150*l.*
			26,908											
Sir Alexander Woodford, lieutenant-governor (on governor's absence and death, 1,000*l.* per annum	- -			83	361	125	- -	- -	- -	- -	- -	- -	- -	Relieved.
Permanent allowance	- -			- -	365	45								
Coach and Calesse allowance (on governor's death)	- -			- -	45	68								
A private secretary received	- -			- -	16	40								
Nicholas Nugent, collector of land revenue	- -			218	500	604	750	750	750	750	750	217		
Calesse allowance	- -			38	83	49								
A per centage on collections	- -			72	128	78								
Treasurer	- -			- -	- -	- -	- -	- -	- -	- -	- -	675	900	Remained.
Dr. Giovanni Vella, joint Crown Advocate	- -			145	193	193	112							
Judge	- -			- -	- -	- -	129	333	350	350	350	402	429	Remained.
Dr. Gio. Batt. Satariano, joint Crown Advocate	- -			145	193	193	193	80						
Judge	- -			- -	- -	- -	- -	180	308	308	308	336	350	Remained.
The hon. W. F. De Roos, agent in London	- -			115	500	500	500	500	500	500	500	125	- -	Situation suppressed.
				28,750										

Sir Paul Parisio Moscati, governor's aide-de-camp	148	198	- -	- -	- -	- -	- -	- -	Discontinued.
Charles Doratt, chief clerk, chief secretary's office (1 year)	112	38	- -	- -	- -	- -	- -	- -	Discontinued.
Charles Harper, superintendent of Printing-office and editor of Gazette	123	257	257	257	257	257	257	257	Remained.
Sir John Stoddard, chief justice and president of the Court of Appeal	348	1,500	1,500	1,500	1,500	1,500	1,500	1,500	Remained.
Subsequently allowed for having acted as legal adviser of Government	- -	- -	100	100	100	100	50		
Major Charles A. Bayley, lieutenant-governor of Gozo	71	257	257	257	257	257	257	257	Remained.
Calesse allowance	23	83	83	83	83	83	83	83	
	27,647								
The hon. Sir Frederick C. Ponsonby, lieutenant-governor		3,512	4,000	4,000	4,000	4,000	5,000	5,000	Remained.
Coach and Calesse allowance		474	542	542	542	542			
His private Secretary received		360	300	300	300	300			
The hon. Seymour Bathurst, treasurer to Government		618	1,000	1,000	1,000	1,000	1,000	250	- - Resigned.
Coach and Calesse allowance		52	83	83	83	83			
		26,182							
Frederick Ross, magistrate for the ports (4 months 3 days)			151	- -	- -	- -	- -	- -	Appointment cancelled.
Captain Frederick Hunn, R. N., intendant of Marine Police			81	350	350	350	350	350	Remained.
George Dalzel, deputy Vendue Master			42	167	167	167	167	- -	- - Situation suppressed.
Dr. Emmanuele Camana, joint Crown Advocate (afterwards King's Counsel)			80	193	193	193	193	193	Remained.
William Robertson, a judicial magistrate			45	180	180	180	180	180	Remained.
			24,771						
Antonio Fenech, assistant Marine Police (making an allowance to his predecessor until the 31st March 1834)				64	154	154	154	154	Remained.
Dr. Benedetto Bardon, joint Crown Advocate (afterwards King's Counsel)				88	150	150	150	150	Remained.
Col. Henry Anderson Morshead, commanding engineer (at first 20*s.*, and afterwards 10*s.* a day)				95	259	106	- -	- -	- - Allowance discontinued.
				24,586					
Dr. Luigi Gravagna, police and quarantine physician (increased from below 150*l.* as police physician only)					164	164	164	164	Remained.
Dr. Matteo Cachia, judicial collector					171	171	171	171	Remained.
Giuseppe Montanaro, purveyor of Charitable Institutions					175	202	202	202	Remained.
Allowed for extra duty					- -	- -	30	30	
Dr. Gavino Portelli, a surgeon of the Civil Hospital, and a professor in the College (increased from below 150*l.*)					176	176	176	194	218 Remained.
					24,734				
Richard James Bourchier, collector of Customs						33	400	400	400 Remained.
Dr. Giovanni Sabino Vella, a judicial magistrate						60	180	180	180 --Remained. (*See* at the end of the 8th Return.)
Henry Fletcher, joint secretary of the Code Commission						12	150	150	150 --Remained. (*See* at the end of the 8th Return.)
						24,546			

SALARIES, MALTA.—SEVENTH RETURN—*continued.*

	AMOUNT, in Pounds Sterling, Paid to each Individual during the YEARS.			
	1832.	1833.	1834.	
	£.	£.	£.	
Francesco Dalmas, First Accountant in the Treasury (increased, including the following extra remuneration from below 150*l.*)	72	126	128	Remained.
Extra Remuneration for assistance in the adjustment of Blockade Claims (165*l.* averaged on five years)	19	33	33	
Edward Carleton, Captain of the Port	150	200	200	Remained.
Emmanuele Bonavia, captain of the Lazaretto	150	200	200	Remained.
Vincenzo Borg, first Clerk of the Quarantine, and Secretary to the Board of Health (increased from below 150*l.*)	153	150	- -	Reduced below 150*l.*
Robert Langslow, Attorney-General	489	800	800	Remained.
	24,745			
Richard Cumberland, Collector of Land Revenue		496	700	Remained.
Dr. Paolo Dingli, Judge		206	308	Remained.
Edward Barnard, Joint Colonial Agent General (250*l.* per annum, less 25*l.* unappropriated)		169	225	Remained.
		24,493	24,084	

Malta, 29 December 1835.

Wm Hy Thornton,
Auditor General.

SALARIES, MALTA.—EIGHTH RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN, showing the ANNUAL RATE and AMOUNT of all SALARIES or other pecuniary Emoluments derived from Funds not passing through the Treasury of Government by Persons holding Situations under the CIVIL GOVERNMENT of *Malta*, as borne on the 31st day of December 1834.

	31st December 1834. ANNUAL RATE. £. s. d.
1.—SUPREME COUNCIL OF JUSTICE.	
[From the Fees of Registry.]	
Registrar—Fees, clear of expenses, received in 1834	86 17 1
Clerk	40 – –
Porter	15 – –
	141 17 1
2.—SUPERIOR CIVIL COURTS.	
[From the Fees of Registry, which whenever inadequate, the salaries are generally subject to reduction, by the rule of proportion, to the extent of the deficiency of means.]	
Court of Appeal:	
Registrar	150 – –
An Assistant	75 – –
2 Others, 60 *l.* and 45 *l.*	105 – –
Clerk	35 – –
Interpreter	30 – –
Messenger	30 – –
Commercial Court:	
Registrar	100 – –
Reporter	75 – –
Assistant	60 – –
A Clerk	35 – –
2 Others, at 30 *l.* each	60 – –
Another	15 – –
Messenger	25 – –
Civil Court, First Hall:	
Registrar	100 – –
An Assistant	50 – –
2 Others, 40 *l.* and 35 *l.*	75 – –
A Clerk	35 – –
3 Others, at 30 *l.* each	90 – –
Another	20 – –
Clerk and Interpreter	40 – –
Messenger	25 – –
Civil Court, Second Hall:	
Registrar	100 – –
Assistant	50 – –
A Clerk	35 – –
2 Others, at 30 *l.* each	60 – –
Another	15 – –
Messenger	25 – –
Civil Court, Third Hall:	
Registrar	100 – –
Assistant	50 – –
Clerk	30 – –
Messenger	25 – –
General Service:	
Accountant	60 – –
Clerk	25 – –
A Marshal	55 – –
3 Others, at 50 *l.* each	150 – –
Court Keeper	40 – –
4 Messengers, at 25 *l.* each	100 – –
Another	20 – –
2 Others, at 15 *l.* each	30 – –
Keeper of Records; Fees received in 1834, net	16 11 9
Marshal for Crown Cases; Fees received as above, net	49 15 5
	2,266 7 2

SALARIES, MALTA.—EIGHTH RETURN—*continued.*

	31st December 1834. ANNUAL RATE.
	£. s. d.
3.—BANKRUPTCY COURT.	
[From Fees taken.]	
Secretary; Fees, clear of expenses, received in 1834	73 19 2
4.—COMMISSIONERS FOR TAKING EVIDENCE.	
[From Fees taken.]	
A Commissioner; Fees received in 1834, net	3 15 –
5 Others, at 15*s.* each	3 15 –
	7 10 –
5.—PRISONS.	
[From the Convicts' Earnings.]	
In addition to their Official Salaries. Principal Gaoler of Great Prison	10 – –
Under Gaoler of same Prison	5 – –
Clerk of same Prison	7 10 –
Gaoler of Prison at Senglea	5 – –
Clerk to Deputy Adjutant of Police	5 – –
9 Turnkeys, at 2 *l.* 10 *s.* each	22 10 –
	55 – –
6.—UNIVERSITY AND LYCEUM.	
[Out of the Receipts from Scholars.]	
Procurator	25 – –
Assistant Teacher of Arithmetic	10 – –
Chaplain	12 10 –
Regulator of the Clock	3 – –
Servant	7 10 –
Italian Master (Supplement to his Salary of 25 *l.* from Government)	10 – –
	68 – –
7.—GOVERNMENT CHAPEL.	
Chaplain; Surplice Fees and Compensation for Seats received in 1834	85 – –

SUMMARY OF THE FOREGOING PARTICULARS:

DEPARTMENTS.	ANNUAL RATE of SALARIES on the 31st December 1834.
	£. s. d.
1. SUPREME COUNCIL OF JUSTICE	141 17 1
2. SUPERIOR CIVIL COURTS	2,266 7 2
3. BANKRUPTCY COURT	73 19 2
4. COMMISSIONERS FOR TAKING EVIDENCE	7 10 –
5. PRISONS	55 – –
6. UNIVERSITY AND LYCEUM	68 – –
7. GOVERNMENT CHAPEL	85 – –
	2,697 13 5

With reference to the Seventh Return, which distinguishes by name those Individuals whose Emoluments amounted to 150 *l.* or upwards, the following Names are to be noted as belonging to the present Return:—

	£. s. d.
Vincenzo Montanaro, Registrar of the Court of Appeal, annual Salary	150 – –
Vincenzo Mamo, Registrar of the Supreme Council, in addition to his Emoluments of 420 *l.* in two capacities (7th Return, p. 56.)	86 17 1
Henry Fletcher, Secretary of the Bankruptcy Court, in addition to his pay of 150 *l.* as a Secretary of the Code Commission (7th Return, p. 61.)	73 19 2
The Rev. John Cleugh, Government Chaplain, in addition to his Salary (7th Return, p. 60.)	85 – –
John Mackenzie, a Commissioner for taking Evidence, in addition to his Salary of 500 *l.* as Director of Works (7th Return, p. 57.)	3 15 –
Dr. Giovanni Sabino Vella, another such Commissioner, in addition to his Salary of 180 *l.* as a Judicial Magistrate (7th Return, p. 61.)	– 15 –
	400 6 3

Malta, 29 December 1835.

Wm Hy Thornton, Audr Genl.

SALARIES, MALTA.—NINTH (AND LAST) RETURN.

[With reference to the accompanying Explanatory Statement.]

A RETURN, showing the ANNUAL RATE and AMOUNT of all SALARIES or other pecuniary Allowances derived from Municipal or Private Charitable Funds administered under the control of the CIVIL GOVERNMENT of *Malta*, as borne on the 31st day of December 1834.

	31st December 1834. ANNUAL RATE. £. s. d.
1.—MONTE DI PIETA E REDENZIONE.	
[This Institution has the extra charge of collecting the Rents of the Hospital of Sto. Spirito, as well as those of the Private Charitable Funds now appropriated to the service of the House of Industry.]	
Collector of Rents	120 – –
Cashier	75 – –
First Accountant	75 – –
Second Accountant	60 – –
2 Clerks, 45*l.* and 40*l.*	85 – –
3 Others, at 35*l.* each	105 – –
Another	30 – –
2 Keepers of Pledges, 75*l.* and 70*l.*	145 – –
2 Appraisers of Pledges, 30*l.* and 20*l.*	50 – –
Collector's Clerk	9 3 4
Legal Adviser	5 – –
Porter	25 – –
His Assistant	7 10 –
	791 13 4
2.—HOSPITAL OF STO. SPIRITO.	
Physician	30 – –
Surgeon	35 – –
Their Assistant	15 – –
Chaplain	10 – –
Cook	10 – –
2 Servants, at 10*l.* each	20 – –
Calesse Allowance to the Visiting Member from the Charitable Institutions	40 – –
	160 – –
3.—HOUSE OF INDUSTRY.	
First Clerk	102 18 –
Second Clerk	82 6 –
Storekeeper	46 6 –
Messenger	20 12 –
Chaplain	15 9 –
Physician	10 – –
Door-keeper	30 18 –
Servant in Kitchen	20 12 –
First Female Ward-keeper	25 15 –
2 Female Ward-keepers, 15*l.* 15*s.* and 10*l.*	25 15 –
3 Wet Nurses, at 7*l.* 10*s.* each	22 10 –
Mistress of Embroidery	25 – –
Mistress superintending the Twisting Machine	7 10 –
Master Weaver	12 – –
Schoolmistress	10 – –
	457 11 –
4.—MONTE DI PIETA, IN GOZO.	
Clerk	16 – –
Keeper of Pledges	14 – –
	30 – –

SUMMARY OF THE FOREGOING PARTICULARS:

INSTITUTIONS.	ANNUAL RATE of SALARIES on the 31st December 1834. £. s. d.
1. MONTE DI PIETA E REDENZIONE	791 13 4
2. HOSPITAL OF STO. SPIRITO	160 – –
3. HOUSE OF INDUSTRY	457 11 –
4. MONTE DI PIETA, IN GOZO	30 – –
	1,439 4 4

Malta, 29 December 1835. *Wm Hy Thornton*, Auditor General.

Enclosure, No. 3, in No. II.

RETURN of all Pensions allowed by the British Government to Maltese, Natives of Great Britain, and Foreigners, out of the Revenues of Malta, from the Year 1812 to the end of the Year 1834, stating the Amount of all such Pensions in every Year.

Notes 1.—In consequence of the very confused arrangement of the public Accounts of Malta during the first years under the British Government, this Return could not commence, in a manner to be relied upon as correct, from the time required, namely, "when the Island was first taken possession of in the year 1800;" and the year 1812 has been chosen, as the period when regular Lists of Pensions were prepared for the information of a Special Commission of Inquiry named by His Majesty.

2.—Pensions under £. 100 that have ceased during the period, will be stated only in totals for each Year; as it will be seen by the last List, whether the individuals described in the preceding ones, remained or had ceased on the 31st December 1834.

	To Maltese Individuals, including Knights, and other Members of the Order of St. John of Jerusalem.			To Natives of Great Britain.			To Foreigners.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
At the end of 1812 - - *See* List No 1	4,577	3	8	1,300	–	–			
Ditto - 1813 - *See* Statement of Alterations - No. 2	4,429	13	8	2,300	–	–			
Ditto - 1814 - ditto - - No. 3	4,585	10	4	2,300	–	–			
Ditto - 1815 - ditto - - No. 4	4,547	10	4	2,600	–	–	100	–	–
Ditto - 1816 - ditto - - No. 5	4,296	10	4	2,600	–	–	100	–	–
Ditto - 1817 - ditto - - No. 6	4,868	17	4	2,600	–	–	100	–	–
Ditto - 1818 - ditto - - No. 7	4,677	4	8	2,600	–	–	100	–	–
Ditto - 1819 - ditto - - No. 8	5,222	10	8	2,600	–	–	100	–	–
Ditto - 1820 - ditto - - No. 9	5,052	6	–	2,600	–	–	100	–	–
Ditto - 1821 - ditto - - No. 10	5,315	2	–	2,600	–	–	100	–	–
Ditto - 1822 - ditto - - No. 11	5,514	8	4	1,991	6	–	100	–	–
Ditto - 1823 - ditto - - No. 12	5,721	12	4	2,091	6	–	100	–	–
Ditto - 1824 - ditto - - No. 13	6,009	7	8	2,091	6	–	100	–	–
Ditto - 1825 - ditto - - No. 14	6,114	15	–	2,456	6	–	100	–	–
Ditto - 1826 - ditto - - No. 15	6,332	18	–	2,456	6	–	100	–	–
Ditto - 1827 - ditto - - No. 16	6,234	14	–	2,517	1	9	100	–	–
Ditto - 1828 - ditto - - No. 17	6,531	9	9	2,152	1	9	100	–	–
Ditto - 1829 - ditto - - No. 18	5,989	11	–	2,152	1	9	100	–	–
Ditto - 1830 - ditto - - No. 19	5,589	2	9	2,060	15	9	100	–	–
Ditto - 1831 - ditto - - No. 20	5,086	4	3	2,060	15	9	100	–	–
Ditto - 1832 - ditto - - No. 21	5,258	5	3	2,060	15	9	100	–	–
Ditto - 1833 - ditto - - No. 22	5,761	3	6	2,405	15	9	100	–	–
Ditto - 1834 - ditto - - No. 23 and List 24	5,633	14	6	2,405	15	9	100	–	–

Note.—The List No. 24, last referred to, is the document which shows the state of Pensions existing on the 31st December 1834.

Until the 31st December 1825, the Pensions locally paid were defrayed in Maltese Currency, which has here been converted into Sterling, at the rate of 12 Scudi to the Pound Sterling, established from that date; no positive general comparative rate having existed previously.

Treasury, Malta, 31 December 1835.

Vin. Casolani,
Acting Treasurer to Government.

No. 1.—LIST of all Pensions payable out of the Revenues of Malta, &c. as they stood on the 31st December 1812.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.		
		£.	s.	d.
Maltese Individuals.—(Including Knights and other Members of the Order of St. John of Jerusalem.)				
Chev[r] de Fricon - - -	Knight of the Order of St. John -	68	–	–
Baly de Rabastens - - -	- - ditto - - -	58	–	–
Chev[r] de Castellane - - -	- - ditto - - -	58	–	–
Com[r] Wathour - - -	- - ditto - - -	58	–	–
Cav[re] Formoso de Fremeax -	- - ditto - - -	30	–	–
Cav[re] Fra Franco Parisio - -	- - ditto - - -	28	–	–
Cav[re] Gio. Parisio - - -	- - ditto - - -	28	–	–

No. 1.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.	——
Maltese Individuals—*continued.*			
Chevr de Beaumont	Knight of the Order of St. John	25 – –	
Chevr de Bejarry	ditto	10 – –	
The Prelato Fra Onorato Bres	Chaplain of the said Order	48 – –	
Fra Giuseppe Attard	ditto	48 – –	
Fra Carlo Perrin	ditto	38 – –	
Fra Ant. Ma Biagio	ditto	30 – –	
Fra Antonio Alagno	ditto	30 – –	
Fra Angelo Grognett	ditto	30 – –	
Fra Benedo Ma Boyer	ditto	30 – –	
Fra Baldassare Scolaro	ditto	30 – –	
Fra Calcidonio La Barbiera	ditto	30 – –	
Fra Carlo Carta	ditto	30 – –	
Fra Emmle Borg	ditto	30 – –	
Fra Ferdinando Zarb	ditto	30 – –	
Fra Francesco Attard	ditto	30 – –	
Fra Filippo Regnaud	ditto	30 – –	
Fra Filippo Farrugia	ditto	30 – –	
Fra Gregorio Castra	ditto	30 – –	
Fra Giuseppe Bruno	ditto	30 – –	
Fra Gu. Batta Baudoin	ditto	30 – –	
Fra Giuseppe Borg	ditto	30 – –	
Fra Giuseppe Arena	ditto	30 – –	
Fra Gio. Doma Barbaro	ditto	30 – –	
Fra Giuseppe Farrugia	ditto	30 – –	
Fra Giuseppe Lauron	ditto	30 – –	
Fra Giuseppe Grognet	ditto	30 – –	
Fra Gio. Luigi Riddi	ditto	30 – –	
Fra Luigi Assenza	ditto	30 – –	
Fra Litterio Gristi	ditto	30 – –	
Fra Ludovico Savoye	ditto	30 – –	
Fra Matteo Madiono	ditto	30 – –	
Fra Michel Anglo Gatt	ditto	30 – –	
Fra Nicola Penu	ditto	30 – –	
Fra Onorato Castra	ditto	30 – –	
Fra Prospero Xuereb	ditto	30 – –	
Fra Pasquale Gelsomino	ditto	30 – –	
Fra Pietro Plo Barbaro	ditto	30 – –	
Fra Pietro Petit	ditto	30 – –	
Fra Paolo de Bertis	ditto	30 – –	
Fra Gio. Batta Xuereb	ditto	30 – –	
Fra Stanislao Muscat	ditto	30 – –	
Fra Vincenzo Carboni	ditto	30 – –	
Fra Vincenzo Bosio	ditto	30 – –	
Fra Salvadore Naudi	ditto	30 – –	
Fra. Gioacchino They	ditto	30 – –	
Antonio Mannarino	ditto	30 – –	
Emmanuele Vella	ditto	30 – –	
Conte Martino Preziosi	ditto	30 – –	
Vincenzo Alessi	ditto	30 – –	
Giuseppe Ellul	ditto	30 – –	
Fra Stefano Libreri	ditto	28 – –	
Fra Gaspare Grech	ditto	10 – –	
Fra Innocenzo Tanti	ditto	7 10 –	
Fra Emmanuele Farrugia	ditto	7 10 –	
Fra Pasquale Galea	ditto	5 – –	
Fra Filippo Caruana	ditto	5 – –	
Federico Dimech	In lieu of lodging rent-free, in the "Auberge d'Allemagne," as a Donato of the said Order	8 7 –	
Giuseppe Bonanno	ditto ditto as attached to the Palace Armoury, under the said Order	5 – –	
Natale Bugeja	In lieu of lodgings enjoyed under the same Order, rent free	8 – –	
Giuseppe Aguis	In compensation of a Stall, held as above	2 10 –	
Teresa Messina	In consideration of her husband's services to the Order	12 – –	

(*continued.*)

No. 1.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.	
		£. s. d.	£. s. d.
Maltese Individuals—*continued.*			
Suor Emm[la] Zarb	-- For her father's services to the said Order	2 10 –	
Suor Marianna Pinto	-- A grant by the late Grand Master "Pinto"	12 – –	
D[to] Vincenzo Benett	For services under the Order	10 – –	
Odoardo Montanaro	- - ditto	8 – –	
Giuseppe Mallia	- - ditto	5 – –	
Stefano Coen	-- Granted by the Order to his father, Giuseppe, to be enjoyed by his successors, he having discovered a revolt premeditated by the Slaves	12 10 –	
Vincenza Pace Coen	The niece of Guis[e] Coen - ditto	6 5 –	
Giuseppe Pace Coen	- ditto - ditto	6 5 –	
Eufemia Menville	-- In lieu of interest claimed on a capital invested in the Treasury of the Order of St. John by her uncle, Fra Rajmondo Menville	10 – –	
Giuseppe Menville	- ditto - ditto	10 – –	
Renata Menville	- ditto - ditto	10 – –	
Marianna Menville	- ditto - ditto	10 – –	
Francesca Doublesin	- ditto - invested as above by the Commander, St. Felix	8 – –	
			2,056 7 –
D[n] Emman[le] Ricaud	-- For services during the blockade of La Valletta	60 – –	
Filippo Castagna	- - ditto	40 – –	
D[r] Giuseppe Castra	- - ditto	40 – –	
D[r] Luigi Caruana	- - ditto	40 – –	
The Mse. Pandolfo Testaferrata	- - ditto	30 – –	
D[to] Gaetano Fubri	- - ditto	30 – –	
The Not[y] Pietro Buttigieg	- - ditto	25 – –	
Agostino Sajd	- - ditto	20 – –	
Gaetano Balzan	- - ditto	20 – –	
The Can[to] Bartolommeo Caraffa	- - ditto	20 – –	
Matteo Bonavia	- - ditto	20 – –	
Emmanuele Gellel	- - ditto	20 – –	
D[n] Pietro Mallia	- - ditto	20 – –	
Angelo Cilia	- - ditto	15 – –	
The Not[y] F[lo] Sar[o] Zarb	- - ditto	15 – –	
Salvatore Libreri	- - ditto	15 – –	
Gregorio Mifsud	- - ditto	15 – –	
Giuseppe Frendo	- - ditto	15 – –	
Maria Rebout	- - ditto	15 – –	
Candida Vitale	- - ditto	15 – –	
Maria Teresa Pulis	- - ditto	13 10 –	
Andrea Attard	- - ditto	12 10 –	
The Parroco Felice Calleja	- - ditto	12 – –	
Lorenzo Castra	- - ditto	12 – –	
Giuseppe Montebelli	- - ditto	10 – –	
Giorgio Bonavia	- - ditto	10 – –	
Francesco Zammit	- - ditto	10 – –	
Giuseppe Bonavia	- - ditto	10 – –	
Giuseppe Abela	- - ditto	10 – –	
Matteo Farrugia	- - ditto	10 – –	
The Sac[te] Fortunato Dalli	- - ditto	10 – –	
Antonio Parnis	- - ditto	10 – –	
Giuseppe Bugeja	- - ditto	10 – –	
Pietro Pace	- - ditto	8 – –	
Giuseppe Camilleri	- - ditto	8 – –	
Alessandro Damato	- - ditto	8 – –	
Giuseppe Xicluna	- - ditto	8 – –	
Andrea Pavia	- - ditto	8 – –	
Eugenia Roujemont	- - ditto	7 10 –	
Matteo Zarb	- - ditto	5 – –	
Francesco Muscat	- - ditto	3 – –	
Giacomo Barbara	- - ditto	2 – –	
Agostino Brineat	- - ditto	2 – –	
	Carried forward - - £.		2,056 7 –

No. 1.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.	£. s. d.
Maltese Individuals—*continued.*	Brought forward - -	- - -	2,056 7 –
Sisters Villa - - - -	- - Their brother having been shot by the French, being implicated in a conspiracy against them -	20 – –	
Vincenzo Ellul - - -	- - In compensation of damages sustained by him, in a piece of ground during the Blockade -	10 – –	
Salvatore Cammilleri - -	- ditto - ditto - -	10 – –	
Gio. Franco Cachia - -	- - In compensation of his claim as a sharer in a Cutter, wrecked on service during the said Blockade	7 10 –	
Pietro Attard - - -	- ditto - ditto - -	7 10 –	744 10 –
Teodora Farrugia - - -	As a charitable allowance -	22 10 –	
Vincenzo and Veronica Schembri	- - ditto - - -	20 – –	
Rosina Mallia - - -	- - ditto - - -	20 – –	
Teresa Dou - - - -	- - ditto - - -	20 – –	
Micheli Felici - - -	- - ditto - - -	20 – –	
Claudina Farrugia - - -	- - ditto - - -	19 6 8	
Antonio Gatt - - - -	- - ditto - - -	15 – –	
Giuseppe Falzon - - -	- - ditto - - -	15 – –	
Fedele Borg - - - -	- - ditto - - -	15 – –	
Maddalena Schembri - -	- - ditto - - -	15 – –	
Orazio Aniato - - -	- - ditto - - -	15 – –	
Fra Emm^le^ Castra - - -	- - ditto - - -	15 – –	
Barbara Micallef - - -	- - ditto - - -	15 – –	
Giuseppe Schembri - -	- - ditto - - -	12 – –	
Antonio Guja - - - -	- - ditto - - -	12 – –	
Felice Caruana - - -	- - ditto - - -	10 – –	
Maddalina Schembri - -	- - ditto - - -	10 – –	
Giuliano Deguara - - -	- - ditto - - -	10 – –	
Rosanna Chetenti - - -	- - ditto - - -	10 – –	
Rajmondo Mallia - - -	- - ditto - - -	10 – –	
Maria Grima - - - -	- - ditto - - -	10 – –	
Paola Maistre - - -	- - ditto - - -	10 – –	
Giuseppe Borg - - -	- - ditto - - -	10 – –	
Gio. Battista Gonzi - - -	- - ditto - - -	10 – –	
Salvatore Portelli - - -	- - ditto - - -	10 – –	
Fra Lorenzo Barbara - -	- - ditto - - -	10 – –	
Margarita Dou - - -	- - ditto - - -	10 – –	
Giuseppe Matrenza - -	- - ditto - - -	10 – –	
D^a^ Andrea Lautier - -	- - ditto - - -	10 – –	
Rosaria Preziosi - - -	- - ditto - - -	10 – –	
Antonio Camilleri - - -	- - ditto - - -	10 – –	
Gaspare Montanaro - -	- - ditto - - -	10 – –	
Alberto Montalto - - -	- - ditto - - -	10 – –	
Pietro Rossini - - -	- - ditto - - -	10 – –	
Vincenza Borg - - -	- - ditto - - -	8 14 –	
Maria Xerri - - - -	- - ditto - - -	8 14 –	
Giuseppe Cassar - - -	- - ditto - - -	8 13 4	
Fra Carlo Tonna - - -	- - ditto - - -	8 – –	
Guacchino Butragian - -	- - ditto - - -	8 – –	
D^to^ Giuseppe Cassa - -	- - ditto - - -	8 – –	
Vittorio Deleo - - -	- - ditto - - -	8 – –	
Anna Grimaldi - - -	- - ditto - - -	8 – –	
Luico Bonnici - - -	- - ditto - - -	8 – –	
Colomba Coiri - - -	- - ditto - - -	8 – –	
Giulio Debono - - -	- - ditto - - -	8 – –	
Gio. Battista Reboul - -	- - ditto - - -	8 – –	
Giovanni Torneu - - -	- - ditto - - -	8 – –	
M^a^ Angela Damato - -	- - ditto - - -	8 – –	
Antonio Zarb - - - -	- - ditto - - -	8 – –	
Emm^le^ Caruana - - -	- - ditto - - -	8 – –	
Francesco Busuttil - - -	- - ditto - - -	8 – –	
Giuseppe Caruana - - -	- - ditto - - -	8 – –	
Gio. Battista Ghiott - -	- - ditto - - -	8 – –	
Giuseppe Lasperanza - -	- - ditto - - -	8 – –	
D^n^ Giovanni Attard - -	- - ditto - - -	8 – –	
Ignazio Savona - - -	- - ditto - - -	8 – –	
	Carried forward - - £.		2,800 17 –

No. 1.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.	£. s. d.
Maltese Individuals—*continued.*	Brought forward - -	- - -	2,800 17 –
Michele Savona - - -	As a Charitable Allowance -	8 – –	
Matteo Matrinza - - -	- - ditto - - -	8 – –	
Stanislao Sammut - - -	- - ditto - - -	8 – –	
Stefano Borg - - - -	- - ditto - - -	8 – –	
Vincenzo Grech - - -	- - ditto - - -	8 – –	
Gaetano Baldacchino - -	- - ditto - - -	8 – –	
Gaetana Reboul - - -	- - ditto - - -	8 – –	
Maddalena Portelli - - -	- - ditto - - -	8 – –	
Vincenzo Loffreda - - -	- - ditto - - -	8 – –	
Rosa Xicluna - - - -	- - ditto - - -	8 – –	
Anna M[a] Speranza - - -	- - ditto - - -	8 – –	
Francesca Salamone - -	- - ditto - - -	7 10 –	
Giuseppe Mifsud - - -	- - ditto - - -	7 10 –	
Francesco Biancardi - -	- - ditto - - -	7 10 –	
Marc' Ant[o] Ganado - -	- - ditto - - -	7 10 –	
Romualdo Butragian - -	- - ditto - - -	7 10 –	
Sac[te] Giuseppe Busuttit -	- - ditto - - -	7 10 –	
Maria Carbone - - - -	- - ditto - - -	7 – –	
Luigi Emmanuele - - -	- - ditto - - -	6 10 –	
Maria Grech - - - -	- - ditto - - -	6 – –	
Gaetano Dalli - - - -	- - ditto - - -	6 – –	
Lucia Floriani - - - -	- - ditto - - -	6 – –	
Bianca Mallia - - - -	- - ditto - - -	6 – –	
Michele di Giovanni - -	- - ditto - - -	6 – –	
Michele Buttigieg - - -	- - ditto - - -	6 – –	
Nicola Catania - - -	- - ditto - - -	6 – –	
Tommaso Cassar - - -	- - ditto - - -	6 – –	
Angelo Galea - - - -	- - ditto - - -	7 10 –	
Antonia Micallef - - -	- - ditto - - -	7 10 –	
Paolo Galea - - - -	- - ditto - - -	7 10 –	
Carlo Molinos - - -	- - ditto - - -	7 10 –	
Innocenza Ajcard - - -	- - ditto - - -	7 10 –	
Rosolea Carboni - - -	- - ditto - - -	7 10 –	
Maria Mamo - - - -	- - ditto - - -	7 7 –	
Catarina Camilleri Regnaud -	- - ditto - - -	4 – –	
Catarina Camilleri - - -	- - ditto - - -	4 – –	
Pietro Paolo Sapiano - -	- - ditto - - -	4 – –	
Sac[te] Giuseppe Grima - -	- - ditto - - -	3 – –	
Anna M[a] Mifsud - - -	- - ditto - - -	3 – –	
Vincenzo Dimech - - -	- - ditto - - -	3 – –	
Rosa Fava - - - -	- - ditto - - -	2 – –	
D[r] G. Caruana Zerafa - -	Retired Judge of the Court of Appeal - - -	100 – –	888 15 –
D[r] Felice Cutayar - - -	„ Administrator of Public Property - - -	60 – –	
Paolo Rizzo - - - -	„ Accatapano Maggiore -	50 – –	
Gio. Gaetano Franco - -	„ Superintendent of the Government Printing Office - - -	40 – –	
Stefano Maistre - - -	„ Gran Visconte - -	30 – –	
Gaetano P[le] Formosa - -	„ Clerk in the Custom House	30 – –	
Giuseppe They - - -	„ Storekeeper in the University - - -	15 – –	
Carlo Azroppardo - - -	„ Professor of Mathematics	28 6 8	
Gabriele Savona - - -	„ Distributor of Books in the Government Library -	25 – –	
The Not[y] Guis[e] Grillett - -	„ Cancelliere of the University - - -	15 – –	
Michele Vassallo - - -	„ Dep[y] Luig[te] at Casal Nayaro - - -	15 – –	
Gio. Maria Chetcuti - -	„ Dep[y] Luig[te] at Casal Musta - - -	15 – –	
Antonio Tinbroll - - -	„ Dep[y] Luig[te] of the Gran Visconte - - -	15 – –	
Marcello Cochia - - -	„ Dep[y] Luig[te] at Senglea -	10 – –	
The Sac[te] Giuseppe Caruana -	„ Compositor in the Government Printing Office	10 – –	
Giucomo Monreal - - -	„ - ditto - - -	10 – –	
Giovanni Grech - - -	„ Pressman in said Office -	10 – –	
Giovanni Cassar - - -	„ Dep[y] Luig[te] at Casal Safi	10 – –	
Antonio Mallia - - -	„ Jurat at Gozo - -	10 – –	
	Carried forward - - - £.		3,689 12 –

No. 1.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.					
		£.	s.	d.	£.	s.	d.
Maltese Individuals—*continued.*	Brought forward	-	-	-	3,689	12	-
Gioacchino Pietrofila	Retired Apothecary in the Hospitals	10	-	-			
Garsia Pisani	,, Keeper of the Lighthouse	5	-	-			
The Not^{y} F^{co} Sar^{o} Zammit	,, Sub-Actuary in the Criminal Court	2	-	-			
D^{r} Luigi Gravagna	For his Services in the Hospitals	20	-	-			
D^{r} Luigi Rigord	As an ex-Jesuit	20	-	-			
Vincenzo Grech	Retired from employment in the Marine Police	5	-	-			
Gioacchino Hellini	Superannuated Coachman in the Government Stables	10	-	-			
Giuseppe Hellini	Superannuated Guardian in the Quarantine Department	15	-	-			
Giovanni Casano	- - ditto	15	-	-			
Francesco Micallef	Superannuated Boatman in the Quarantine Department	10	-	-			
Michele Portelli	- - ditto	10	-	-			
Gio. Maria Abela	- - ditto	10	-	-			
Luigi Sammut	- - ditto	10	-	-			
Vittorio Zammit	- - ditto	10	-	-			
Giovanni Xicluna	- - ditto	10	-	-			
Francesco Grioli	- - ditto	10	-	-			
Pietro Spiteri	- - ditto	10	-	-			
Pasquale Portelli	- - ditto	10	-	-			
Felice Saliba	- - ditto	10	-	-			
Nicola Libreri	Superannuated Porter in the Hospitals	10	-	-			
Paolo Galea	Superannuated Servant in the Hospitals	10	-	-			
Andrea Micallef	- - ditto	10	-	-			
Giovanni Micallef	- - ditto	10	-	-			
Gio. Maria Duneo	- - ditto	9	-	-			
Paolo Ebejer	- - ditto	7	-	-			
Giuseppe Pace	- - ditto	7	-	-			
Rosolea Camilleri	- - ditto	6	5	-			
Alessandro Xicluna	- - ditto	5	-	-			
Antonio Nobili	- - ditto	5	-	-			
Giuseppe Gristi	- - ditto	5	-	-			
Felice Sammut	- - ditto	5	-	-			
Melchiore Calleja	- - ditto	5	-	-			
Filippo Cassar	- - ditto	5	-	-			
Maria Asciach	- - ditto	5	-	-			
Marianna Farrugia	- - ditto	5	-	-			
Giuseppa Pizzuto	Widow of a Judge	30	-	-			
Vincenza Debono	,, of a Surgeon in the Hospital	10	-	-			
Marianna Xerri	,, of a Gaoler	5	-	-			
Teodora Camilleri	,, of a Maestro di Piazza	5	-	-			
Graziulla Grech	- - Daughter of a Labourer killed by an explosion in the Arsenal of the Ordnance	4	-	-			
Rosa Allegrim	- - Widow of a Captain in the late Maltese Provincial Battalion	10	-	-			
Maria Trapani	- - Widow of an Officer in a late Maltese Corps	9	-	-			
Donato Stefanucci	- - Late Private in the R. M. Regiment	5	-	-			
					887	11	8
				£.	4,577	3	8
Natives of Great Britain—							
Sir William Keith Ball	In consideration of the meritorious Services of his late father, Sir A. Ball, Bart., as King's Civil Commissioner in Malta	600	-	-			
E. F. Chapman	Retired Public Secretary and Treasurer	700	-	-			
				£.	1,300	-	-

Vin. Casolani,
Acting Treasurer to Government.

No. 2.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1813.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Fra Prospero Xuereb	An increase to his former Pension of £. 30, as one of the Chaplains of the Order of St. John	20 – –
Suor Marianna Pinto	ditto ditto of £. 12, granted to her by the Grand Master "Pinto"	3 – –
Giuseppe Said	For services during the blockade of La Valletta	10 – –
Michel Angelo Damato	ditto	10 – –
Giuseppe Pisani	ditto	7 10 –
Vittoria Debono	A charitable allowance	15 – –
Firmina Castra	ditto	10 – –
Bartolomea Rizzo	ditto	5 – –
Alberto Montalto	An increase to his former allowance of £. 10.	5 – –
Costanza Gravagna	Widow of a first Physician in the Hospitals, who died of the Plague	50 – –
Giuseppa Mosu	Widow of a Surgeon, who died as above	10 – –
Francesca Pisani	ditto	10 – –
Dr Angelo Ventura	Retired First Surgeon in the Hospitals	30 – –
Modesta Schembri	Widow of a Servant in the Government Palace	7 10 –
To 4 Superannuated Labourers in the Hospitals		37 – –
	£.	230 – –
Pensions fallen in by death or otherwise, under £. 100		377 10 –
	Net Decrease £.	147 10 –
Native of Great Britain.—New Pension:		
R. R. Wood	In lieu of Emoluments, as Vendue Master £.	1,000 – –

Vin. Casolani,
Acting Treasurer to Govt.

No. 3.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1814.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Agostino Ghiott	Late Instructor in the French Language of the younger Knights of the Order of St. John	12 – –
Giuseppe Regnaud	Retired Chancellor in the Quarantine Dept	83 6 8
Dr Gio. Battista Vergottino	„ Judge at Gozo	60 – –
Gaetano Labatie	„ Clerk in the Custom House	60 – –
Gaetano Izzo	„ ditto	60 – –
Giaº Bº Maurin	„ ditto	35 – –
Gio. Battista Grognett	„ Commissary of the Streets	50 – –
Fra Giovanni Mallia	„ Director of the Government Printing Office	50 – –
Maria Matrenza	Widow of a Surgeon who died during the Plague	10 – –
Maria and Margarita Micallef	Orphan daughters of a Physician, who died as above	10 – –
Felice Briffa	In consideration of his father's services during the Plague	8 – –
To 13 Superannuated Boatmen in the Quarantine Dept		130 – –
	£.	568 6 8
Pensions fallen in by death or otherwise:		
Under £. 100	£. 312 10 –	
Dr Giusc Caruana Zerafa	Retired Judge of the Court of Appeal 100 – –	
		412 10 –
	Net Increase £.	155 16 8

Vin. Casolani,
Acting Treasurer to Govt.

No. 4.—STATEMENT of ALTERATIONS in the PENSION LIST of *Malta*, within the Year 1815.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
NEW PENSIONS to MALTESE INDIVIDUALS, &c.		
Anna Assenza	Widow of one of the Auditors of "Segnatura"	30 – –
Annunziata Tyzo	„ of a Clerk in the Custom House	10 – –
Catarina Lanfranco	„ of an "Accatapano Maggiore"	10 – –
Matilde Cassar	„ of a Physician in the Hospitals	10 – –
Fortunato Pace	„ of a Surgeon who died of Plague	7 – –
Francesca Savona	„ of a Porter of the suppressed "Consolato del Mare"	7 – –
Giuseppe Tramblett	Reduced Clerk in the Office of the Administrators of Public Property	20 – –
Dr. Vincenzo Xuereb	ditto ditto	20 – –
Antonio Parnis	Retired Intendent of Marine Police (Consolidated with his former Pension of £. 10 for services during the Blockade)	10 – –
To 3 Superannuated "Agozzini" in the Great Prison		45 – –
	£.	169 – –
PENSIONS fallen in by death, or otherwise	under £. 100	207 – –
	NET DECREASE £.	38 – –
NATIVE of GREAT BRITAIN—New Pension:		
The Rev. Francis Laing	Retired Chief Secretary to Government	300 – –
FOREIGNER—New Pension:		
Vittorio Barzoni	Retired Editor of the Government Gazette	100 – –

Vin. Casolani,
Acting Treasurer to Gov^t.

No. 5.—STATEMENT of ALTERATIONS in the PENSION LIST of *Malta*, within the Year 1816.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £ s. d.
NEW PENSIONS to MALTESE INDIVIDUALS, &c.		
Fra Vincenzo Vella	Chaplain of the Order of St. John of Jerusalem	30 – –
Giovanna Mizri	For Services during the Blockade of La Valletta	7 – –
Maria Grima	ditto	7 – –
Gio. M^a Calleja	ditto	7 – –
Paolo Saliba	ditto	4 – –
D^to Domenico Montanaro	Retired Superintendent of the Government Post Office	50 – –
Maria Camilleri	Reduced Weaving Mistress in the Ospizio	25 – –
	£.	130 – –
PENSIONS fallen in by death, or otherwise	under £. 100	381 – –
	NET DECREASE £.	251 – –

Vin. Casolani,
Acting Treasurer to Gov^t.

No. 6.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1817.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Chev[r] De Griesches	Knight of the Order of St. John	58 – –
To 88 Invalids discharged from late Maltese Corps		769 11 –
	£.	827 11 –
Pensions fallen in by death or otherwise – – under £. 100.		255 4 –
Net Increase	£.	572 7 –

Vin. Casolani,
Acting Treasurer to Gov[t].

No. 7.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1818.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
D[to] Saverio Thalamas	Retired Clerk in the Office of the Adm[rs] of public property	30 – –
Giuseppe Cammenzuli	Retired Administrator of the C[l] Hospitals	30 – –
D[r] Aurelio Badat	„ First Surgeon – ditto	30 – –
D[r] Francesco Dimech	„ First Physician – ditto	20 – –
Giuseppe They	„ Commissary – ditto	20 – –
Giuseppe Schembri	„ "Lingiere" – ditto	20 – –
Paolo Bernard	„ Administrator – ditto	12 10 –
Giuseppe Stivala	„ Assistant Surgeon – ditto	10 – –
Claudio Borg	– – ditto – ditto	10 – –
Giuseppe Spiteri	– – ditto – ditto	10 – –
Vincenzo Camilleri	„ Assistant Apothecary ditto	7 10 –
Francesco Trigane	Reduced Officer of late Maltese Corps	30 – –
	£.	230 – –
Pensions fallen in by death or otherwise – – under £. 100.		421 12 8
Net Decrease	£.	191 12 8

Vin. Casolani,
Acting Treasurer to Gov[t].

No. 8.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1819.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Fra Luigi Maurin	Chaplain of the Order of St. John	30 – –
Stefano Coen	– – Increase to the Pension granted by the Order to his father Giuseppe, to be enjoyed by his successors, he having discovered a Revolt premeditated by the Slaves	8 7 –
Vincenza Pace Coen	The Niece of Gius[e] Coen – – ditto	4 4 –
Giuseppe Pace Coen	– – – ditto – – – ditto	4 4 –

No. 8.—Statement of Alterations in the Pension List of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £.	s.	d.
	New Pensions to Maltese Individuals, &c.—*continued.*			
Sir J^{h} Borg Olivier	Retired President of His Majesty's Court of Appeal	208	7	–
Luigi Briffa	Reduced Jurat of the "Universita" of La Valletta	100	–	–
G. Bonavita Champion	Retired Inspector of the Gov^{t} Printing Office	83	7	–
Niccolo Sciritra	„ Overseer of Corn in the Grain Dep^{t}	45	–	–
Lorenzo Parnis	„ Messenger in the Grain Dep^{t}	22	10	–
Salvadore Dimech	ditto	22	10	–
D. Emm^{le} Lucano	„ Physician in the Hospitals	20	–	–
D^{r} Giuseppe Dingli	„ ditto ditto	20	–	–
D^{r} Giov^{i} Andreotti	„ Surgeon ditto	20	–	–
Antonio Castra	„ Assistant Surgeon, ditto	20	–	–
Filippo Pierini	„ ditto ditto	15	–	–
Giuseppe Aguis Bonnici	„ Clerk in ditto	15	–	–
Lorenza Genuis	late Servant in ditto	8	–	–
Gio. Antonio Aquilina	Retired Clerk in the Office of the Intendant of Marine Police	20	–	–
Luigi Grillet	ditto	15	–	–
Claudio Camilleri	Retired Assistant Chancellor of the "Universita" of La Valletta	12	–	–
Filippo Izzo	Retired Assistant "Accatapano" in the Markets	8	–	–
To 7 Superannuated "Capitani di Notti & Visconti" attached to the Police		47	10	–
		748	19	–
Pensions fallen in by death or otherwise under £. 100.		203	13	–
	Net Increase £.	545	6	–

Vin. Casolani,
Acting Treasurer to Gov^{t}.

No. 9.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1820.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £.	s.	d.
	New Pensions to Maltese Individuals, &c.			
Fra Stefano Libreri	Increase to his former Pension of £. 28, as one of the Chaplains of the Order of St. John	2	–	–
Giuseppe Cauchi	In compensation for the loss of a Legacy bequeathed by the late Grand Master Rohan	10	–	–
Giuseppe Camilleri	Discharged Administrator of public Property	50	–	–
D^{r} Giuseppe Castra	„ Dep^{y} Luogotenente at "Vittorioso"	50	–	–
Giovanni Castagna	„ ditto "Cospiqua"	50	–	–
D^{r} Teodoro V^{ro} Bonnici	„ ditto "Senglea"	40	–	–
Giovanni Vidal	„ Clerk in the Great Prison	21	10	–
Paolo Vidal	„ "Agozrino" ditto	10	–	–
	£.	233	10	–
Pensions fallen in by death or otherwise under £. 100.		403	14	8
	Net Decrease £.	170	4	8

Vin. Casolani,
Acting Treasurer to Gov^{t}.

No. 10.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1821.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Cav^re^ Gio. Parisio Moscati	--Increase to his former Pension of £. 28., as one of the Knights of the Order of St. John of Jerusalem	60 – –
Tommaso Cassar	Increase to his Charitable Allowance of £. 6.	9 – –
Vincenzo Palmer	--Reduced Surveyor of Cotton Yarn in the Custom House	40 – –
Antonia Zarb	Widow of a Clerk in the said Department	15 – –
Paolo Micallef	--For Services in the Universita of La Valletta and in the Government Stables	15 – –
Eleonora Gravagna	--Daughter of a late Storekeeper in the Civil Arsenal	10 – –
Annunziata Camilleri	--Daughter of a Person accidentally killed in the Service of Government	7 10 –
To 2 superannuated Visconti	Attached to the Police	10 – –
Gio. Carlo Galea	Reduced Officer of late Maltese Corps	20 – –
To 24 Invalids discharged from the R. M. F. Regiment		192 3 –
	£.	378 13 –
Pensions fallen in by death or otherwise,—under £. 100		115 17 –
	Net Increase £.	262 16 –

Vin. Casolani,
Acting Treasurer to Gov^t^.

No. 11.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1822.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Chevalier De Greisches	--Increase to his Pension of £. 58, as one of the Knights of the Order of St. John	42 – –
Antonio Casolani	Reduced Administrator of Public Property	140 – –
Rajmondo Zammit	„ Commissary of the Streets	50 – –
The Notary Antonio Psajla	„ Registrar of suppressed Court of Magistrates of 2d District	30 – –
Vincenzo Farrugia	„ Surgeon of the Great Prison	20 – –
Fra Michel Angelo Spiteri	„ Chaplain in the Hospitals	15 – –
Marianna L'Hoste	„ "Ospedaliera" in charge of Foundlings	8 – –
Paolo Micallef	--Increase to his Pension of £. 15, for Services in the Universita and in the Government Stables	10 – –
Guiseppe Attard	--Late "Capitano di notte," attached to the Police	2 10 –
To 20 Discharged Labourers of the Grain Department		157 10 –
Enrico Balbi	Reduced Officer of late Maltese Corps	10 16 8
Silvestro Castra	- - - ditto	6 – –
Pietro Chinzi	- - - ditto	6 – –
	£.	497 16 8
Pensions fallen in by death or otherwise,—under £. 100		298 10 4
	Net Increase £.	199 6 4
Natives of Great Britain.—New Pension.		
James Toole	Retired Auditor of Accounts	91 6 –
Pension fallen in by death.		
E. F. Chapman	Retired Chief Secretary and Treasurer	700 – –
	Net Decrease £.	608 14 –

Vin. Casolani,
Acting Treasurer to Gov^t^.

No. 12.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1823.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Fra Carlo Sion	Chaplain of the Order of St. John	5 – –
Rosina Bouchut	For Services under the said Order	5 – –
Antonio Sammut	-- In compensation of a Mezranino, under the Albergo di Spagna	5 – –
Francesco Tortell, senior	A Charitable Allowance	15 – –
Sir B. C. Xerri	Retired Auditor of the "Segnatura"	160 – –
Sir Jh N. Zammit	Retired -- ditto	160 – –
Francesco Arena	Discharged Clerk in the Grain Store	50 – –
Gio. Carlo Marno	„ Storekeeper -- ditto	30 – –
Aloijsio Ricaud	„ -- ditto -- ditto	30 – –
Giovanni Chetcuti	„ -- ditto -- ditto	25 – –
Giuseppe Abela	„ -- ditto -- ditto	20 – –
Nicola Camilleri	„ Intendant of Marine Police	15 – –
Dr. Vincenzo Mazra	-- Retired Clerk in the Office of the late Administrators of Public Property	15 – –
Agostino Sajd	-- Retired Deputy "Luogotenento" at Casal, "Zabbar" (consolidated with his former Pension of £. 20, for Services during the blockade	10 – –
The Notary Fran. Sar. Zarb	-- Retired -- ditto -- at Casal "Attard" ditto of £. 15	10 – –
Giuseppe Lorferta	Retired Messenger in the Excise Office	10 – –
Garsia Pisani	-- Increase to his Pension as late Keeper of the Light-house	7 10 –
Andrea Farrugia	-- Superannuated "Capitano di Notte," attached to the Police	5 – –
Salvatore Gettel	Discharged Officer of late Maltese Corps	10 – –
Francesco Gauri	-- -- -- -- ditto	8 – –
Lorenzo Villa	-- -- -- -- ditto	8 – –
Pietro Manueli	-- -- -- -- ditto	6 – –
Pietro Chinzi	-- -- -- -- ditto (increase to his Pension of £. 6	4 – –
Grazia Zatera	-- Widow of a Private of the R. M. Fencibles, who was killed in the execution of his duty	10 – –
To 8 Invalids discharged from the R. M. F. Regiment		47 16 –
	£.	671 6 –
Pensions fallen in by death or otherwise,—		
Under £. 100	-- -- -- -- -- £. 304 2 –	
Sir Jh N. Zammit	Return Auditor of the "Segnatura" 160 – –	
		464 2 –
	Net Increase £.	207 4 –
Native of Great Britain—New Pension.		
The Rev. T. Laing	-- Increase to his Pension of £. 300 as retired Chief Secretary	100 – –

Vin. Casolani,
Acting Treasurer to Govt.

No. 13.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1824.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
To 31 Chaplains of the Order of St. John, from £. 30 to £. 40 each		310 – –
Antonio Sammut	-- An increase to his Pension of £. 5, in compensation of a Mizranino he enjoyed free rent under the said Order	8 7 –
Marianna Chicari	A charitable Allowance	8 – –
Teresa Zerafa	-- -- ditto	5 – –

No. 13.—Statement of Alterations in the Pension List of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £.	s.	d.
New Pensions to Maltese Individuals, &c.—*continued.*				
Clemente Mifsud	Retired Clerk in the Marine Police	37	10	–
Daniele Brodett	„ Clerk in the Foundling Hospitals	30	–	–
Gio. Niccoli Gauci	„ Clerk in the Hospitals	15	–	–
Giuseppe Vella	For Services in the Government Stables	15	–	–
Lorenzo Rizzo	Retired Storekeeper in the Grain Department	15	–	–
Dr. R. F. Vassallo	„ Poor's Advocate	12	10	–
Ignazio Balzan	Reduced Officer of late Maltese Corps	20	–	–
Giuseppe Fabri	ditto	20	–	–
Gio. Francesco Catayar	ditto	20	–	–
Gioacchino Theij	ditto	20	–	–
Salvadore Mamo	ditto	20	–	–
Giuseppe Vidal	ditto	18	–	–
Rajmondo Vella	ditto	15	–	–
Antonio Muscat	ditto	15	–	–
Salvature Azeppardi	ditto	15	–	–
Antonio Demellos	ditto	12	10	–
Lucrezio Metropoli	ditto	12	10	–
Gio. Battista Bornici	ditto	12	10	–
Francesco Grech	ditto	12	–	–
Gio. Battista Desalvo	ditto	12	–	–
Emmanuele Caruano	ditto	12	–	–
Lorenzo Vella	ditto (Increase to his Pension, of £. 8.)	12	–	–
Francesco Gauci	ditto ditto 8.	12	–	–
Salvatosi Gellet	ditto ditto 10.	10	–	–
Pietro Chinzi	ditto ditto 10.	10	–	–
Enrico Balbi	ditto ditto £. 10. 16. 8.	9	3	4
Pietro Manueli	ditto ditto 6.	6	10	–
Silvestro Castra	ditto ditto 6.	6	10	–
Fra Ant. Baldanhino	Retired Chaplain of above Corps	15	–	–
		766	–	4
Pensions fallen in by death or otherwise,—				
Under £. 100.	£. 338 5 –			
Antonio Casolani	One of the Administrators of Public Property 140 – –			
		478	5	–
	Net Increase £.	287	15	4

Vin. Casolani,
Acting Treasurer to Gov^{t}.

No. 14.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1825.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £.	s.	d.
New Pensions to Maltese Individuals, &c.				
Fra Saverio Vella	Chaplain of the Order of St. John	20	–	–
Fra Lorenzo Rezzo	ditto	10	–	–
Sir R. C. Xerri	An increase to his Pension of £. 160, as Retired Auditor of "Signatura," and Member of the Supreme Council of Justice	140	–	–
Giuseppe Farrugia	Retired Apothecary in the Hospitals	40	–	–
Dr. Francesco Buttigieg	„ Professor of Midwifery in the Hospitals	35	–	–
Giovanni Aggius	„ "Capo Maestro" for Windmills	30	–	–
Francesco Bugeja	„ Head Carpenter in the Civil Arsenal	20	–	–
Lorenzo Micallef	„ Overseer of the Government Pontoons	20	–	–
Sac^{t} Luigi Camilleri	As a reward for pecuniary Services, in establishing School, &c. for the education and promotion of industry among the poor classes	30	–	–

No. 14.—Statement of Alterations in the Pension List of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.—*continued.*		
Maria Regnaud	Widow of a First Clerk of the Quarantine Department	25 – –
Gesuarda Vergottino	Widow of a Judge at Gozo	15 – –
Dr. R. F. Vassallo	Increase to his Pension of £. 12. 10., as Retired Poor's Advocate	17 10 –
Michelina Galea	Widow of a Captain in the R. M. F. Regiment	20 – –
Benvinuta Cararra	ditto of a Lieutenant ditto	15 – –
	£.	437 10 –
Pensions fallen in by death or otherwise — Under £. 100.		332 2 8
	Net Increase £.	105 7 4
Native of Great Britain — New Pension.		
Dr. Robert Grieves	Retired Superintendent of Quarantine	365 – –

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Acting Treasurer to Gov^t.

No. 15.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1826.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pensions to Maltese Individuals, &c.		
Odoardo Montanaro	Retired First Clerk in the Quarantine Department (consolidated with his former Pension of £. 8. for Services under the Order)	72 – –
Antonio Sammut	A charitable Allowance	21 – –
Emmanuela Savono	Widow of a Clerk in the Vendue Office	21 – –
Michelina Galea	Increase to her Pension of £. 20, as Widow of a Captain in the R. M. F. Regiment	12 – –
Benvenuta Cararra	ditto of £. 15. as Widow of a Lieutenant	11 – –
To 4 Quartermaster Serjeants and a Clerk of the Disembodied Malta Militia		27 10 –
To 51 Invalids, discharged from the R. M. F. Regiment		295 – –
	£.	459 10 –
Pensions fallen in by death or otherwise — Under £. 100		241 7 –
	Net Increase £.	218 3 –

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Acting Treasurer to Gov^t.

No. 16.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1827.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
New Pension to a Maltese Individual:		
Dr. Vincenzo Bonavita	Retired, one of His Majesty's Judges	300 – –
Pensions fallen in by death or otherwise — Under £. 100.		398 4 –
	Net Decrease £.	98 4 –
Native of Great Britain — New Pension:		
Frederick Ross	Reduced Registrar of Public Registry Office, until re-employed	60 15 9

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No. 17.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1828.

NAME.	REASON FOR THE GRANT.		YEARLY PENSION.		
New Pensions to Maltese Individuals, &c.:			£.	s.	d.
Vincenzo Tonna	Retired Assistant Physician in the Hospitals		13	6	6
Guiseppe Fabri	-- Increase to his Pension of £. 20, as discharged Officer of late Maltese Corps		40	–	–
Paolo Ellul	-- Reduced Captain of the R. M. F. Regiment (until re-employed)		91	6	–
Antonio Mattei	Reduced Lieutenant - - ditto		45	13	–
Luigi Consolat	,, Ensign - - - ditto		36	10	–
To 64 Invalids discharged from the R. M. F. Regiment			539	12	6
		£.	766	8	–
Pensions fallen in by death, or otherwise,—					
Under £. 100		£. 369 12 3			
Luigi Briffa	-- Reduced Jurat of the "Universita" of La Valletta	100 – –			
			469	12	3
	Net Increase	£.	296	15	9
Native of Great Britain - -	Pension fallen in:				
Dr. Robert Grieves (died)	Retired Superintendent of Quarantine		365	–	–

Vin. Casolani,
Acting Treasurer to Gov^t.

No. 18.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1829.

NAME.	REASON FOR THE GRANT.		YEARLY PENSION.		
New Pensions to Maltese Individuals, &c.:			£.	s.	d.
Dr. Emm^le Gravagna	Assessor in the suppressed Episcopal Court		24	–	–
Saverio Vassallo	Actuary - - - - ditto		20	–	–
Ignazio Bajada	- ditto - - - - ditto		13	6	–
Dr. Antonio Pullicino	Poor's Advocate - - ditto		10	–	–
Dr. Antonio Zerafa	Pro-Fiscale - - - ditto		8	–	–
Giovanni Micallef	Clerk - - - - - ditto		12	–	–
Giuseppe Zammit	ditto - - - - - ditto		10	–	–
Giovanni Camilleri	ditto - - - - - ditto		10	–	–
Emmanuele Corsone	ditto - - - - - ditto		6	13	–
To 6 " Alarj" attached to the said suppressed Court			68	10	–
		£.	182	9	–
Pensions fallen in by death or otherwise,—					
Under £. 100		£. 424 7 9			
Dr. Vincenzo Bonarita	Retired, one of H. M.'s Judges	300 – –			
			724	7	9
	Net Decrease	£.	541	18	9

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No. 19.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1830.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.
New Pensions to Maltese Individuals, &c.		£. s. d.
To 4 old Invalids, "Piazzanti," transferred from the Civil Hospitals		60 16 –
Pensions fallen in by death or otherwise	Under £. 100	461 4 3
	Net Decrease £.	400 8 3
Native of Great Britain	Pension fallen in:	
James Toole (died)	Retired Auditor of Accounts	91 6 –

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Acting Treasurer to Gov^t.

No. 20.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1831.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.
New Pension to a Maltese Individual:		£. s. d.
Dr. Stefano Grillet	Retired First Physician of the Civil Hospitals	90 – –
Pensions fallen in by death or otherwise:		
Under £. 100	£. 384 11 6	
Sir J^h Borg. Olivier	Retired President of His Majesty's Court of Appeal 208 7 –	
		592 18 6
	Net Decrease £.	502 18 6

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No. 21.—STATEMENT of Alterations in the Pension List of *Malta*, within the Year 1832.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.
New Pensions to Maltese Individuals, &c.:		£. s. d.
Gio. Battista Schembri	Retired Captain of the Port in the Quarantine Department [until re-employed]	100 – –
Fra Paolo Pace	Retired Book-keeper in the Land Revenue Office	40 – –
Pasquale Regnaud	Retired Clerk in the Office of Judicial Receipts	40 – –
Giovanni Onofrio	Widow of a Registrar of the Courts of Justice	40 – –
Teresa Mallia	„ of an Adjutant of Police at Gozo	20 – –
Francesco Romolo	Late Boatman in the Marine Police	20 – –
Pietro Micallef	„ Porter in the Treasury	15 – –
To 4 Serjeants of Police and a "Visconte"		66 9 –
To 2 Guardians in the Prisons		21 – –
	£.	362 9 –
Pensions fallen in by death or otherwise	under £. 100	190 8 –
	Net Increase £.	172 1 –

Vin. Casolani,
Acting Treasurer to Gov^t.

No. 22.—STATEMENT of ALTERATIONS in the PENSION LIST of *Malta*, within the Year 1833.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
NEW PENSIONS to MALTESE INDIVIDUALS, &c.		
Sir G. C. Debono	Retired, one of His Majesty's Judges	300 – –
Lorenzo Grech	,, Accountant of the Government Treasury	75 – –
Dr. Fortunato Mizzi	,, Secretary to the Lieut.-Governor at Gozo	45 – –
Dr. Dⁿ Emmˡᵉ Rosignaud	Late Vicar-General of the suppressed Episcopal Court	40 – –
Gio. Battista Decandia	Retired Pressman in the Government Printing office	25 – –
Saverio Schembri	Reduced Guardian in the suppressed Vendue Office	20 12 –
The Children of the late Dr. Nicolo Letard.	In consideration of their father's services as one of the Magistrates of Judicial Police [for 10 years, from 25th August 1831]	35 – –
Ignazio Sammut	Late Guardian in the Great Prison	15 – –
To 2 Superannuated Boatmen of the Marine Police		32 – –
To 4 - ditto -	Guardians of the Quarantine Department	80 – –
Lieut.-Colonel Parisio	Military Retirement	91 6 –
	£.	758 18 –
PENSIONS fallen in by death or otherwise	Under £. 100	255 19 9
	NET INCREASE £.	502 18 3
NATIVES of GREAT BRITAIN—New Pensions:		
Sir Richard Plasket	Retired Chief Secretary to Government	300 – –
George Dalzel	Late Deputy Vendue Master [Until re-employed.]	45 – –
	£.	345 – –

Vin. Casolani,
Acting Treasurer to Govᵗ.

No. 23.—STATEMENT of ALTERATIONS in the PENSION LIST of *Malta*, within the Year 1834.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.
NEW PENSIONS to MALTESE INDIVIDUALS, &c.		
Gio. Antº Micallef	Chaplain of the Order of St. John	40 – –
Luigi Ricca	Retired Clerk in the Government Post Office	60 – –
Simone Arminio	,, Gauger in the Excise Office	25 – –
Gioacchino Rossi	,, Assistant in the Office of Intendant of Marine Police	77 3 –
Fra Girolamo Inglott	,, Rector of the University of Literature	50 – –
Canˡᵒ Vincenzo Pisani	,, Master of Rudiments ditto	18 – –
William Hoskins	,, Master of English Language, ditto	16 – –
Canˡᵒ Michele Seychel	,, Master of Latin Language (Upper Class) ditto	15 – –
Canˡᵒ Michel Angˡᵒ Farrugia	,, Ditto (Lower Class) ditto	10 – –
Canˡᵒ Paolo Busuttit	,, Professor of Rhetoric ditto	12 16 –
Fra Feliciano Falzon	,, Prefect ditto	10 – –
	£.	333 19 –
PENSIONS fallen in by death or otherwise:		
Under £. 100	£. 361 8 –	
Chev. de Greisches	Knight of the Order of St. John 100 – –	
		461 8 –
	NET DECREASE £.	127 9 –

Vin. Casolani,
Acting Treasurer to Govᵗ.

No. 24.—LIST of all PENSIONS payable out of the REVENUES of *Malta*, as they stood on the 31st December 1834.

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.	£. s. d.
MALTESE INDIVIDUALS [including Knights and other Members of the Order of St. John of Jerusalem.]			
CIVIL.			
Cav^re Gio. Parisio Moscati	Knight of the Order of St. John	88 – –	
Cav^re Formoso de Fremeaux	ditto	40 – –	
Chev^r de Beaumont	ditto	25 – –	
Fra Baldassare Scolaro	Chaplain of the said Order	40 – –	
Fra Emmanuele Borg	ditto	40 – –	
Fra Francesco Attard	ditto	40 – –	
Fra Filippo Farrugia	ditto	40 – –	
Fra Gregorio Castra	ditto	40 – –	
Fra Gio. Battista Baudoin	ditto	40 – –	
Fra Giuseppe Arena	ditto	40 – –	
Fra Salvadore Naudi	ditto	40 – –	
Fra Luigi Assenza	ditto	40 – –	
Fra Michel Angelo Gatt	ditto	40 – –	
Fra Paolo De Bertis	ditto	40 – –	
Fra Gioacchino They	ditto	40 – –	
Fra Vincenzo Vella	ditto	40 – –	
Giuseppe Ellul	ditto	40 – –	
Emmanuele Vella	ditto	40 – –	
Vincenzo Alessi	ditto	40 – –	
Gio. Ant^o Micallef	ditto	40 – –	
Fra Innocenzo Tanti	For Services under the said Order	7 10 –	
Fra Carlo Sion	ditto	5 – –	
Giuseppe Mallia	ditto	5 – –	
Rosina Bouchut	ditto	5 – –	
Antonio Sammut	In lieu of Lodging rent-free in the "Auberge d'Espagne," as a Donato of the same Order	13 7 –	
Frederico Dimech	Ditto - ditto, in the "Auberge d'Allemagne"	8 7 –	
The Heirs of the late Stefano Coen.	Granted by the Order to his father Giuseppe, to be enjoyed by his successors, he having discovered a revolt premeditated by the slaves	20 17 –	
Vincenza Pace Coen	Niece of Gius^e Coen, ditto - ditto	10 9 –	
Giuseppe Pace Coen	ditto - - - ditto	10 9 –	
Giuseppa Menville	In lieu of Interest claimed on a Capital invested on the Treasury of the Order of St. John, by her late uncle, Fra Raymondo Menville	10 – –	
Francesca Doublesin	ditto - ditto - invested as above by the Commander St. Felix	8 – –	936 19 –
D^n Emmanuele Ruaud	For Services during the Blockade of the Vallette	60 – –	
The Notary Pietro Buttigieg	ditto	25 – –	
Gaetano Balzan	ditto	20 – –	
Salvatore Libreri	ditto	15 – –	
Giuseppe Frendo	ditto	15 – –	
Maria Rebout	ditto	15 – –	
Maria Teresa Pulis	ditto	13 10 –	
Andrea Attard	ditto	12 10 –	
Lorenzo Castra	ditto	12 – –	
Giorgio Bonavia	ditto	10 – –	
Giuseppe Bonavia	ditto	10 – –	
The Sac. Fortunato Dalli	ditto	10 – –	
Pietro Pace	ditto	8 – –	
Alessandro Damato	ditto	8 – –	
Giuseppe Xicluna	ditto	8 – –	
Giuseppe Pisani	ditto	7 10 –	
	Carried forward - - £.		936 19 –

No. 24.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.	
		£. s. d.	£. s. d.
Maltese Individuals—*continued.*			
Civil—*continued.*	Brought forward - -	- - -	936 19 -
Maria Grima - - - -	- - For services during the Blockade of La Valletta - - -	7 - -	
Giovanna Mizzi - - -	- - ditto - - - - -	7 - -	
Gio. Maria Calleja - - -	- - ditto - - - - -	7 - -	
Giacomo Barbara - - -	- - ditto - - - - -	2 - -	
Agostino Brincat - - -	- - ditto - - - - -	2 - -	
Sisters Vella - - - -	- - Their brother having been shot by the French, being implicated in a conspiracy against them -	20 - -	
Salvatore Camilleri - - -	- - In compensation of damages sustained by him in a piece of ground at Sliema during the said Blockade - - - - -	10 - -	
			304 10 -
Rosina Mallia - - -	As a charitable Allowance - -	20 - -	
Paolo Cachia - - - -	- - ditto - - - - -	15 4 -	
Giuseppe Falzon - - -	- - ditto - - - - -	15 - -	
Maddalena Schembri - -	- - ditto - - - - -	15 - -	
Giuliano Deguara - - -	- - ditto - - - - -	10 - -	
Rosanna Chetcuti - - -	- - ditto - - - - -	10 - -	
Rajmondo Mallio - - -	- - ditto - - - - -	10 - -	
Vincenza Borg - - -	- - ditto - - - - -	8 14 -	
Maddalena Portelli - - -	- - ditto - - - - -	8 - -	
Marianna Chicaci - - -	- - ditto - - - - -	8 - -	
Angelo Galea - - -	- - ditto - - - - -	7 10 -	
Paolo Galea - - - -	- - ditto - - - - -	7 10 -	
Carlo Molinos - - -	- - ditto - - - - -	7 10 -	
Rosolea Carbone - - -	- - ditto - - - - -	7 10 -	
Maria Mamo - - - -	- - ditto - - - - -	7 7 -	
Teresa Zerafa - - -	- - ditto - - - - -	5 - -	
Maria Grech - - - -	- - ditto - - - - -	6 - -	
Caterina Camilleri Regnaud -	- - ditto - - - - -	4 - -	
Sir R. C. Xerri - - -	- - Retired Auditor of the Segnatura, and Member of the Supreme Council of Justice - - -	300 - -	172 5 -
Sir G. C. Debono - - -	- - Retired one of His Majesty's Judges, and Member of the Supreme Council of Justice - -	300 - -	
Gio. Batta Schembri - -	- - Relieved Captain of the Quarantine Port (until re-employed) -	100 - -	
Dr Stefano Grillet - - -	- - Retired First Physician of the Civil Hospitals - - - -	90 - -	
G. Bonavita Champion - -	- - Retired Inspector of the Government Printing Office - -	83 7 -	
Odoardo Montanaro - -	- - Retired First Clerk of the Health Office - - - - -	80 - -	
Lorenzo Grech - - -	- - Retired Accountant in the Treasury - - - - -	75 - -	
Luigi Ricca - - - -	- - Retired First Clerk in the Government Post Office - -	60 - -	
Giovanni Castagna - - -	- - Reduced Deputy Luogte at Cospicua - - - - -	50 - -	
Rajmondo Zammit - - -	Reduced Commissary of the Streets		
Dte Domenico Montanaro -	- - Reduced Superintendent of the Government Post Office - -	50 - -	
Dr Fortunato Mizzi - -	- - Retired Secretary to the Lieutenant Governor of Gozo - -	50 - -	
Vincenzo Palmer - - -	- - Reduced Surveyor of Cotton Yarn in the Custom-House -	45 - -	
Giuseppe Farrugia - - -	- - Retired Apothecary in the Civil Hospitals - - - - -	40 - -	
Fra Paolo Pace - - -	- - Retired Book-keeper in the Land Revenue Department - -	40 - -	
Pasquale Regnaud - - -	- - Retired Clerk in the Office of Judicial Receipts - -	40 - -	
Clemente Mifsud - - -	Retired ditto in the Marine Police	37 10 -	
Gio. Carlo Mamo - - -	- - Reduced Storekeeper in the Grain Department - - -	30 - -	
Giovanni Chetcuti - - -	- - ditto - - - - -	25 - -	
	Carried forward - - -		1,413 14 -

No. 24.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.	
		£. s. d.	£. s. d.
Maltese Individuals—*continued.*			
Civil—*continued.*	Brought forward - -	- - -	1,413 14 -
Gio. Batta Decandia - -	- - Retired Pressman in the Government Printing Office - -	25 - -	
Simone Arminio - - -	- - Retired Gauger in the Excise Office - - - - -	25 - -	
Paolo Micallef - - -	- - For services in the Universita and in the Government Stables -	25 - -	
Lorenzo Parnis - - -	- - Retired Messenger in the Grain Department - - - - -	22 10 -	
Saverio Schembri - - -	- - Reduced Guardian in the suppressed Vendue Office - -	20 12 -	
Giuseppe Tramblett - -	- - Reduced Clerk in the suppressed Office of Administrators of Public Property - - -	20 - -	
Antonio Parnis - - -	Retired Intendant of Marine Police	20 - -	
Giuseppe Schembri - -	- - Reduced "Lingieri" of the Civil Hospitals - - - -	20 - -	
Vincenzo Farrugia - - -	- - Reduced Surgeon of the Great Prison - - - - - -	20 - -	
Francesco Bugeja - - -	- - Retired Head Carpenter in the Civil Arsenal - - - -	20 - -	
Dr Giovanni Andreotti - -	- - Retired Surgeon in the Civil Hospitals - - - - -	20 - -	
Gio. Niccolo Gauci - -	Retired Clerk in the Civil Hospitals	15 - -	
Gio. Ma Chetcuti - - -	- - Retired Deputy Luogte at Casal Musta - - - - -	15 - -	
Giuseppe Vella - - -	- - Retired from employment in the Government Stables - -	15 - -	
Pietro Micallef - - -	Retired Porter in the Treasury -	15 - -	
Paolo Bernard - - -	- - Reduced Administrator in the Civil Hospitals - - - -	12 10 -	
Giacomo Monreal - - -	- - Retired Compositor in the Government Printing Office -	10 - -	
Antonio Mallia - - -	Retired Jurat at Gozo - -	10 - -	
Francesco Romolo - - -	- - Superannuated Boatman in the Marine Police - - - -	20 - -	
Ludovico Camilleri - - -	- - ditto - - - - -	16 - -	
Lorenzo Gatt - - - -	- - ditto - - - - -	16 - -	
Vincenzo Grech - - -	- - Retired from employment in the above Department - - -	5 - -	
Giuseppe Spiteri - - -	Superannuated Serjeant of Police	15 9 -	
Antonio di Giorgio - -	- - ditto - - - - -	14 - -	
Tommaso Cento - - -	- - ditto - - - - -	14 - -	
Giuseppe Galia - - -	- - ditto - - - - -	14 - -	
Ignazio Sammut - - -	- - Superannuated Guardian in the Prisons - - - - - -	15 - -	
Andrea Leonardo - - -	- - ditto - - - - -	10 10 -	
Giovanni Cassar - - -	- - ditto - - - - -	10 10 -	
Paolo Vidal - - - -	- - Superannuated "Agozzino" in the Great Prisons - - -	10 - -	
Michele Attard - - -	- - Superannuated "Visconti," attached to the Police - - -	9 - -	
Antonio Spiteri - - -	- - ditto - - - - -	5 - -	
Salvatore Micallef - - -	- - ditto - - - - -	5 - -	
Albino Gauci - - - -	- - ditto - - - - -	5 - -	
Andrea Farrugia - - -	- - Superannuated "Capitano di notte," attached to the Police -	5 - -	
Celestino Turbroll - - -	- - Superannuated Guardian in the Quarantine Department - -	20 - -	
Giuseppe Calamatta - -	- - ditto - - - - -	20 - -	
Giuseppe Micallef - - -	- - ditto - - - - -	20 - -	
Samuele Merciera - - -	- - ditto - - - - -	20 - -	
Luigi Sammut - - -	Superannuated Boatman, ditto -	10 - -	
Gio. Maria Schembri - -	- - ditto - - - - -	10 - -	
Emmanuele Giordan - -	- - ditto - - - - -	10 - -	
Vincenzo Cassan - - -	- - ditto - - - - -	10 - -	
Giuseppe D'Amici - - -	- - Superannuated Labourer in the Grain Department - - -	10 - -	
Giuseppe Sajd - - -	- - ditto - - - -	10 - -	
	Carried forward - - -		1,413 14 -

No. 24.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.	£. s. d.
Maltese Individuals—*continued.*			
Civil—*continued.*	Brought forward - -	- - -	1,413 14 -
Michele Merciera - - -	- - Superannuated Labourer in the Grain Department - - -	10 - -	
Giuseppe Vella - - -	- - ditto - - - -	7 10 -	
Francesco Bugeja - - -	- - ditto - - - -	7 10 -	
Francesco Agius - - -	- - ditto - - - -	5 - -	
Felice Caruana - - -	- - Superannuated Guardian in the Civil Hospitals - - - -	10 - -	
Gio. Mª Duneo - - -	Superannuated Servant in ditto -	9 - -	
Lorenza Genuis - - -	- - ditto - - - -	8 - -	
Marianna Farrugia - - -	- - ditto - - - -	5 - -	
Maria Asciack - - -	- - ditto - - - -	5 - -	
Giovanna Onofrio - - -	- - Widow of the Registrar of the Courts of Laws - - - -	40 - -	
Giuseppa Pizzuto - - -	Widow of a Judge - - -	30 - -	
Maria Regnaud - - -	- - Widow of a Clerk in the Quarantine Department - - -	25 - -	
Emmanuela Savona - - -	- - Widow of a Clerk in the Vendue Office - - - - -	21 - -	
Teresa Mallia - - - -	- - Widow of an Adjutant of Police at Gozo - - - - -	20 - -	
Antonia Zarb - - - -	- - Widow of a Clerk in the Custom House - - - -	15 - -	
Vincenza Debono - - -	- - Widow of a Surgeon of the Civil Hospitals - - - -	10 - -	
Francesca Pisani - - -	- - Widow of a Surgeon who died by the Plague - - - -	10 - -	
Giuseppa Mosù - - -	- - ditto - - - -	10 - -	
Maria Matrenza - - -	- - ditto - - - -	10 - -	
Annunziata Izzo - - -	- - Widow of a Clerk in the Custom House - - - -	10 - -	
Matilde Cassur - - -	- - Widow of a Physician in the Hospitals - - - - -	10 - -	
Eleonora Gravagna - - -	- - Daughter of a late Storekeeper of the Civil Arsenal - - -	10 - -	
Maria and Margarita Micallef -	- - Orphan Daughters of a Physician who died of Plague - -	10 - -	
Felice Briffa - - - -	- - For Services rendered by his Father during the Plague, of which he died - - - - -	8 - -	
Fortunata Pace - - -	- - Widow of a Surgeon, who died as above - - - - -	7 - -	
Francesca Savona - - -	- - Widow of a Porter of the suppressed "Consolato del Mare" -	7 - -	
Marianna Xerri - - -	Widow of a Gaoler - - -	5 - -	
Teodora Camilleri - - -	Widow of a "Maestro di Piazza"	5 - -	
Dr Emmanuele Gravagna -	- - Assessor in the suppressed Episcopal Court - - -	24 - -	
Saverio Vassallo - - -	Actuary - - ditto - -	20 - -	
Giovanni Micallef - - -	Clerk - - - ditto - -	12 - -	
Giuseppe Zammit - - -	- ditto - - ditto - -	10 - -	
Emmanuele Corsone - -	- ditto - - ditto - -	6 13 -	
Dr Antonio Pullicino - -	Poor's Advocate ditto - -	10 - -	
Sacte Antonio Zerafa - -	Pro-Fiscal - ditto - -	8 - -	
Lorenzo Mangion - - -	"Alario" - ditto - -	12 - -	
Giuseppe Vasallo - - -	- ditto - - ditto - -	11 6 -	
Giacomo Bugeja - - -	- ditto - - ditto - -	11 6 -	
Giuseppe Borg - - -	- ditto - - ditto - -	11 6 -	
Giovanni Cilia - - -	- ditto - - ditto - -	11 6 -	
Michele Pace - - - -	- ditto - - ditto - -	11 6 -	
Gioacchino Rossi - - -	- - Retired Assistant in the Office of the Captain of the Port and Intendant of Marine Police (charged as an unfixed Contingency) -	77 3 -	
Children of the late Dr. Letard	- - Orphans of a Magistrate of Judicial Police (for ten years, from 26th August 1831) - - -	35 - -	
			2,797 4 -
		£.	4,210 18 -

No. 24.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION.	
Maltese Individuals—*continued.*			
MILITARY.	Brought forward - -	£. s. d. - - -	£. s. d. 4,210 18 –
Sir P. Parisio Moscati - -	Military Retirement - - -	91 6 –	
Giuseppe Fabri - - -	-- Reduced Officer of late Maltese Corps - - - -	60 – –	
Gioacchino They - - -	- - ditto - - -	20 – –	
Pietro Chinzi - - - -	- - ditto - - -	20 – –	
Ignazio Balzan - - -	- - ditto - - -	20 – –	
Enrico Balbi - - - -	- - ditto - - -	20 – –	
Salvatore Gellel - - -	- - ditto - - -	20 – –	
Rajmondo Vella - - -	- - ditto - - -	15 – –	
Antonio Muscat - - -	- - ditto - - -	15 – –	
Giuseppe Vidal - - -	- - ditto - - -	15 – –	
Pietro Manoel - - -	- - ditto - - -	12 10 –	
Gio. Batta Bonnici - - -	- - ditto - - -	12 – –	
Emmanuele Carnana - -	- - ditto - - -	12 – –	
Fra Ant. Baldacchino - -	-- Reduced Chaplain of late Maltese Corps - - - -	15 – –	
Rosa Allegrini - - -	-- Reduced Widow of an Officer of late Maltese Corps - -	10 – –	
Maria Trapani - - -	- - ditto - - -	9 – –	
Gioacchino Bartolo - - -	-- Invalid discharged from late Maltese Corps - - - -	10 17 –	
Lazzaro Suberras - - -	- - ditto - - -	10 17 –	
Felice Zammit - - -	- - ditto - - -	7 12 –	
Giuseppe Fenech - - -	- - ditto - - -	7 12 –	
Lorenzo Formosa - - -	- - ditto - - -	7 12 –	
Giuseppe Mifsud - - -	- - ditto - - -	7 12 –	
Gaetano Zammit - - -	- - ditto - - -	7 12 –	
Giuseppe Agius - - -	- - ditto - - -	7 12 –	
Luigi Schembri - - -	- - ditto - - -	7 12 –	
Angelo Saliba - - -	- - ditto - - -	7 12 –	
Michele Falzon - - -	- - ditto - - -	7 12 –	
Salvatore Vella - - -	- - ditto - - -	7 12 –	
Lorenzo Borg - - - -	- - ditto - - -	7 12 –	
Andrea Buhagiar - - -	- - ditto - - -	7 12 –	
Giuseppe Psajla - - -	- - ditto - - -	7 12 –	
Giovanni Camilleri - - -	- - ditto - - -	7 12 –	
Silvestro Ghigo - - -	- - ditto - - -	7 12 –	
Giuseppe Camilleri - - -	- - ditto - - -	7 12 –	
Giuseppe Ferrugia - - -	- - ditto - - -	7 12 –	
Antonio Balzan - - -	- - ditto - - -	7 12 –	
Salvatore Zammit - - -	- - ditto - - -	7 12 –	
Francesco Attard - - -	- - ditto - - -	7 12 –	
Gaetano Camilleri - - -	- - ditto - - -	7 12 –	
Michel Angelo Cauchi - -	- - ditto - - -	7 12 –	
Paolo Ebejer - - - -	- - ditto - - -	7 12 –	
Antonio Galea - - -	- - ditto - - -	7 12 –	
Salvatore Grech - - -	- - ditto - - -	7 12 –	
Paolo Sansone - - -	- - ditto - - -	7 12 –	
Gio. Maria Xicluna - - -	- - ditto - - -	7 12 –	
Giuseppe Zammit - - -	- - ditto - - -	7 12 –	
Lorenzo Merciera - - -	- - ditto - - -	7 12 –	
Gio. Batta Balzan - - -	- - ditto - - -	7 12 –	
Francesco Cilia - - -	-- Quarter-master Serjeant of the Disembodied Malta Militia -	5 10 –	
Filippo Formosa - - -	- - ditto - - -	5 10 –	
Nicola Lanpanio - - -	- - ditto - - -	5 10 –	
Antonio Mattei - - -	-- Reduced Lieutenant of R. M. F. Regiment (until re-employed) -	45 13 –	
Michelina Galea - - -	-- Widow of a Captain in the above Regiment - - -	32 – –	
Benvenuta Cavarra - - -	Widow of a Lieutenant - ditto -	26 – –	
Grazia Zahra - - - -	-- Widow of a Private in the said Regiment, who was killed in the execution of his duty - -	10 – –	
Salvatore Callus - - -	-- Invalid discharged from the R. M. F. Regiment - - -	12 13 6	
Angelo Magro - - -	- - ditto - - -	12 13 6	
Ignazio Asciach - - -	- - ditto - - -	12 13 6	
	Carried forward - - £.		4,210 18 –

No. 24.—List of all Pensions payable out of the Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.	£. s. d.
Maltese Individuals—*continued.*			
	Brought forward -	- - -	4,210 18 -
Military—*continued.*			
Giaacchino Taboni - - -	Invalid discharged from the R. M. F. Regiment - - -	12 13 6	
Vincenzo Bonnici - - -	ditto - - -	12 13 6	
Francesco Borg - - -	ditto - - -	12 13 6	
Salvatore Fenech - - -	ditto - - -	12 13 6	
Litterio d'Angelo - - -	ditto - - -	12 10 -	
Giuseppe Galdes - - -	ditto - - -	12 10 -	
Lorenzo Biondo - - -	ditto - - -	10 3 -	
Francesco Zatrea - - -	ditto - - -	10 3 -	
Antonio Mizzi - - -	ditto - - -	10 3 -	
Giuseppe Zammit - - -	ditto - - -	10 3 -	
Liberato Bonello - - -	ditto - - -	10 - -	
Francesco Borg - - -	ditto - - -	7 12 3	
Gio. Maria Callus - - -	ditto - - -	7 12 3	
Gio. Maria Zammit - - -	ditto - - -	7 12 3	
Giuseppe Sciberras - - -	ditto - - -	7 12 3	
Salvatore Schembri - - -	ditto - - -	7 12 3	
Giuseppe Mula - - -	ditto - - -	7 12 3	
Salvatore Fenech - - -	ditto - - -	7 12 3	
Paolo Micallef - - -	ditto - - -	7 12 3	
Michele Cordina - - -	ditto - - -	7 12 3	
Liugi Pace - - - -	ditto - - -	7 12 3	
Giovanni Pace - - -	ditto - - -	7 12 3	
Salvatore Vella - - -	ditto - - -	7 12 3	
Paolo Grech - - - -	ditto - - -	7 12 3	
Giuseppe Ganci - - -	ditto - - -	7 12 3	
Ignazio Caruana - - -	ditto - - -	7 12 3	
Salvatore Buttigieg - - -	ditto - - -	7 12 3	
Giovanni Cutajar - - -	ditto - - -	7 12 3	
Filippo Farrugia - - -	ditto - - -	7 12 3	
Michele Bonello - - -	ditto - - -	7 12 3	
Gio. Batta Buonasera - -	ditto - - -	7 12 3	
Lucio Magre - - - -	ditto - - -	7 12 3	
Giuseppe Ebejer - - -	ditto - - -	7 12 3	
Francesco Bartolo - - -	ditto - - -	7 12 3	
Giuseppe Xuereb - - -	ditto - - -	7 12 3	
Gioacchino Bonello - -	ditto - - -	7 12 3	
Giovanni Cassar - - -	ditto - - -	7 12 3	
Lorenzo Mefsud - - -	ditto - - -	7 12 3	
Lorenzo Borg - - -	ditto - - -	7 12 3	
Giuseppe Frendo - - -	ditto - - -	7 12 3	
Girolamo Xiberras - - -	ditto - - -	7 12 3	
Francesco Aquilina - - -	ditto - - -	7 12 3	
Gregorio Frendo - - -	ditto - - -	7 12 3	
Martino Caruana - - -	ditto - - -	7 10 -	
Pietro Derestra - - -	ditto - - -	7 10 -	
Lorenzo Farrugia - - -	ditto - - -	7 10 -	
Rajmondo Tanti - - -	ditto - - -	7 10 -	
Alessio Brineat - - -	ditto - - -	7 10 -	
Giuseppe Gatt - - -	ditto - - -	5 1 6	
Lorenzo Rizzo - - -	ditto - - -	5 1 6	
Francesco Agius - - -	ditto - - -	5 1 6	
Pietro Mangion - - -	ditto - - -	5 1 6	
Giovanni Meli - - -	ditto - - -	5 1 6	
Gaetano Mifsud - - -	ditto - - -	5 1 6	
Nicola Cutayar - - -	ditto - - -	5 1 6	
Michele Vella - - -	ditto - - -	5 1 6	
Agostino Fenech - - -	ditto - - -	5 1 6	
Paolo Curmi - - - -	ditto - - -	5 1 6	
Giuseppe Borg - - -	ditto - - -	5 - -	
Lorenzo Fenech - - -	ditto - - -	5 - -	
Giuseppe Falzon - - -	ditto - - -	5 - -	
Giuseppe Dosparo - - -	ditto - - -	5 - -	
Angelo Spiteri - - -	ditto - - -	5 - -	
Salvatori Cremona - - -	ditto - - -	5 - -	
Gio. Batta Azzoppard - -	ditto - - -	5 - -	
Antonio Zarb - - - -	ditto - - -	5 - -	
Giuseppe Camilleri - - -	ditto - - -	5 - -	
Giovanni Schembri - - -	ditto - - -	5 - -	
Giovanni Galea - - -	ditto - - -	5 - -	
	Carried forward - £.		4,210 18 -

No. 24.—List of all Pensions payable out of Revenues of *Malta*, &c.—*continued.*

NAME.	REASON FOR THE GRANT.	YEARLY PENSION. £. s. d.	£. s. d.
Maltese Individuals—*continued.*			
Civil—*continued.*	Brought forward -	- - -	4,210 18 –
Luigi Farrugia - - -	- - Invalid discharged from the R. M. F. Regiment - - -	5 – –	
Pasquali Ciappara - - -	- - ditto - - -	5 – –	
Felice Asciach - - -	- - ditto - - -	5 – –	
Agostino Schembri - - -	- - ditto - - -	5 – –	
Giuseppe Bajada - - -	- - ditto - - -	5 – –	
Gio. Maria Formosa - -	- - ditto - - -	5 – –	
Giaromo Zatira - - -	- - ditto - - -	5 – –	
Giuseppe Azzoppardi - -	- - ditto - - -	5 – –	
Benigno Formosa - - -	- - ditto - - -	5 – –	
Giuseppe Saliba - - -	- - ditto - - -	5 – –	
Giuseppe Attard - - -	- - ditto - - -	5 – –	
Carlo Abela - - - -	- - ditto - - -	5 – –	
Felice Bonello - - -	- - ditto - - -	5 – –	
Giuseppe Galea - - -	- - ditto - - -	5 – –	
Paolo Aquilina - - -	- - ditto - - -	5 – –	
Giovanni Azzoppard - -	- - ditto - - -	5 – –	
Francesco Camilleri - -	- - ditto - - -	5 – –	
Vincenzo Zammit - - -	- - ditto - - -	5 – –	
Michele Grioch - - -	- - ditto - - -	5 – –	
Gio. Maria Zammit - - -	- - ditto - - -	5 – –	
Paolo Pace - - - -	- - ditto - - -	5 – –	
Vincenzo Agius - - -	- - ditto - - -	5 – –	
Dominico Grech - - -	- - ditto - - -	5 – –	
Giuseppe Aquilina - - -	- - ditto - - -	5 – –	
Luca Saliba - - - -	- - ditto - - -	5 – –	
			1,422 16 6
		£.	5,633 14 6
Natives of Great Britain:			
R. R. Wood - - - -	- - In lieu of Emoluments as Vendue Master - - - - -	1,000 – –	
Sir William K. Ball - - -	- - In consideration of the meritorious Services of his late father, Sir A. Ball, bart., as King's Civil Commissioner in Malta - -	600 – –	
The Rev. Francis Laing - -	- - Retired Chief Secretary to Government - - - - -	400 – –	
George Dalzel - - -	- - Reduced Deputy Vendue Master (until re-employed) - - -	45 – –	
Sir Richard Plasket - - -	- - Retired Chief Secretary to Government - - - - -	300 – –	
Frederick Ross - - -	- - Reduced Registrar of Public Registry-office (until re-employed)	60 15 9	
		2,405 15 9	
Foreigner:			
Vittorio Barzoni - - -	- - Retired Editor of the Government - - - - - -	100 – –	

SUMMARY STATE, 31st December 1834:

	YEARLY PENSION. £. s. d.	£. s. d.
MALTESE:—		
Ecclesiastical, Civil and Charitable - - -	4,210 18 –	5,633 14 6
Military - - - - - - - - - - -	1,422 16 6	
NATIVES OF GREAT BRITAIN—Civil - - - - - -	- - -	2,405 15 9
A FOREIGNER—Civil - - - - - - - - -	- - -	100 – –
Total - - - - - £.		8,139 10 3

Total agreed.

Wm Hy Thornton, Auditor General.

Vin. Casolani, Acting Treasurer to Govt.

Appendix to Enclosure No. 3, in No. II.

RETURN of Pensions paid by the Colonial Agent General in *England* to the Knights of the Order of St. John of Jerusalem.

Chevalier Barde	5 *s.* per day.	Chevalier Ponteané	5 *s.* per day.
Chevalier Blossac	5 *s.* „	Sade	5 *s.* „
Chevalier Choiseul	5 *s.* „	St. Martin	5 *s.* „
Chevalier Clerk	5 *s.* „	Chevalier Ch^{s}. de Thuisy	5 *s.* „
Chevalier A.E. D'Orfeuille	5 *s.* „	Chevalier Geo. de Thuisy	5 *s.* „
Chanoniesse D'Orfeuille	£. 60 per ann.	Chevalier Em^{l} de Thuisy	5 *s.* „
Chevalier Dutheil	5 *s.* per day.	Chevalier Auguste de Thuisy	5 *s.* „
Chevalier Mesnard	5 *s.* „		

Total amount of Pensions to the Knights, £. 1,363. 10. per annum.

Proportion of the Amount of Retired Allowances paid from the Revenues of *Malta* to the Persons employed in the late Colonial Audit Office in *England*, on the Abolition of that Department - - - - - - £. 385. 5. per annum.

Enclosure No. 4, in No. II.

LETTER of the Superintedent of Grain at *Malta*, dated 22d December 1835, in explanation of the Returns required from him, to be laid before Parliament, in terms of a Resolution of The House of Commons, dated 17th August 1835.

Sir, Grain Department, La Valletta, 22d December 1835.

I have the honour to acknowledge the receipt of your Letter of the 22d September last, conveying to me the instructions of the honourable the Acting Lieutenant-Governor, to prepare " A Return of all Purchases and Sales of Grain, and of all other Duties collected on Grain, and of all the Salaries, Charges and Expenses of the Grain Department at Malta, during the last Ten Years inclusive, distinguishing each several head of Receipt and Expenditure, and distinguishing each Year ; together with an Estimate of the Annual Rental or value of the Stores and Fosses devoted by Government to this service during the last Ten Years, as well as of the present value of the Stock of Government Grain now remaining in Store, specifying the number of Salms, and when and where purchased."

In compliance with these directions, I beg to enclose herewith Three Returns, marked respectively (A.) (B.) and (C.) and two Estimates, one marked (D.), the other (E.)

These will be found to comprehend the whole of the information called for. I must premise, however, that, for the sake of greater perspicuity, they are rendered in conformity with the practice that has always prevailed of keeping the Government and trade transactions in Grain entirely apart from each other, those of the former being classed under the head of " Government Grain Concern," as in Return (A.), and those of the latter under that of " Revenue," as in Return (B.)

The duties of the two branches being inseparably interwoven, they are naturally brought under one department ; a measure productive of great economy, as well as convenience to the public.

The Return (A.) shows all Government purchases and sales of wheat, and all the salaries, charges and expenses of that branch of the Grain Department designated " the Government Grain Concern," distinguishing each several head of receipt and expenditure. It will be seen that the whole of these salaries, charges and expenses, including interest on the capital employed, were defrayed by, and appear in the accounts of, that concern ; the interest alone amounted to 14,298*l.*

The Return (B.) is a Statement of all Duties collected by me on Grain or its produce, and of all the salaries, charges and expenses attached to this branch of the department, designated as the " Revenue " branch, distinguishing each several head of receipt and expenditure. It is here to be remarked, that whenever Government Wheat is sold to the Public, the price is fixed exclusive of the duty, which is consequently paid by the purchaser, and carried to the account of the revenue, in precisely the same manner as if the Wheat belonged to a trade.

The Return (C.) is a Statement of the annual rental paid for that portion of the Stores and Fosses belonging to the Grain Department, which was made use of by the traders in grain from 1825 to 1834, both years inclusive,

The Estimate (D.) comprises three distinct valuations of the rental (had it been justly liable to any such charge) of that portion of the Store and Foss-room, which was occupied during the same period by the Government reserve stock of wheat.

The first of these valuations is grounded upon the intrinsic worth of the Store and Foss-room actually so occupied.

The second valuation, which, for the reason assigned in the Estimate, has been computed at the rates of store-rent payable under the existing tariff of July 1832, is strictly indicative of the subsequent as well as future value of this rental. I consider, also, that it affords the fairest criterion of its value for the whole ten years ; always assuming such rental to apply to a Government reserve stock ; for otherwise it would retrospectively have been, and prospectively would be, much depreciated.

The third valuation is founded upon the supposition, that the whole of the store and foss room occupied by the Government reserve stock (about, on an average of ten years, 28,222 Salms, or between five and six months' supply) might have been engaged by the traders in grain for the reception of a like quantity over and above their customary deposit (averaging during the same period about 5,107 Salms, or one month's supply) in entrepôt ; but as there are no grounds for supposing that the trade would have maintained any such stock, I refer to the second valuation, as exhibiting, with the reservation which concludes the preceding paragraph, the only just view of the rental in question.

The Estimate (E.) shows, as required, the probable value of the Government reserve stock of wheat on the 24th ultimo, specifying also the number of Salms, and when and where purchased. But as this stock

stock is held in reserve for special purposes, any present estimate of its value may be very wide of the sale prices hereafter. Sometimes the market value of the stock in question is more, sometimes less, than its cost price; just now it happens to be less, though I should add, that the cost price of the actually existing stock might have been obtained since its purchase, were it not that all considerations of pecuniary advantage are held to be strictly subservient to the more important objects for which this stock is designed.

I trust I may be now permitted to crave the attention of the honourable the Acting Lieutenant-Governor to a few observations relative to the Return (A.) of the "Government Grain Concern," particularly as they likewise serve to show the grounds upon which the second valuation of the rental of the stores and fosses appropriated to the reception of the Government wheat, as exhibited in Estimate (D.), is preferred.

It will be admitted that an ample provision of wheat in a country which produces only 58 days' supply of that article in the year, should be maintained at all seasons, and that the expediency for such provision becomes a matter of paramount interest, when applicable to possessions of importance like these, both in respect of their security in a military point of view, and of the protection due to a redundant and necessitous population, against either real or fictitious scarcity; a protection of nearly two centuries and a half standing, and completely identified with the feelings, expectations and domestic economy of the people.

When the Government monopoly was totally abolished in the year 1822, the Government, knowing the inability of the trade to keep up the adequate supplies, solemnly pledged itself, by proclamation, always to maintain a reserve stock of wheat for the purposes above mentioned; thus placing itself, not from choice, but necessity, in the position of a private importer or capitalist, with, however, these striking disadvantages: first, that political circumstances sometimes induce or influence its purchases at periods of comparative high prices, and when no merchant would buy; and, secondly, that reserving its stock for objects of higher importance, and desirous of interfering as little as possible with the trade, it abstains from selling at moments when a considerable profit might be realized.

These are serious difficulties to contend with, and will help to show with what little justice the "Government Grain Concern" could be made chargeable with store-rent, more especially with store-rent for wheat lodged in stores and fosses constructed and kept in substantial repair from the funds of the Grain Department, and not from those of the General Revenue.

The incompetency just now mentioned of the traders to have maintained, or to maintain, in addition to their customary deposit, an adequate reserve stock of wheat, is sufficiently shown, and admitted by themselves and others, in the Prospectus they put forward in 1825, proposing to establish a Grain Company at Malta, and so take upon themselves, to use their own words, "the charge of maintaining such a deposit on receiving a fair compensation." Setting aside the palpable tendency of this proposition to uncontrollable monopoly, as well as to other insuperable objections, it will be enough to state, that only a fifth part of the requisite funds was reckoned upon as procurable in Malta; and it is very questionable if even that small proportion could have been raised, or would now be forthcoming, were there scope for its being so employed.

If we add to this insufficiency of means, the inevitable risks attendant upon a Corn Trade, as well as the impracticability of obtaining any other than a nominal guarantee for the introduction by the traders of suitable supplies, both for consumption and long preservation, it may reasonably be inferred that no reliance whatever, either could have been, or is to be, placed upon them in regard to this vital point; neither is it difficult to determine that the pecuniary responsibility of the Government would be incalculably aggravated, were it not provided with a reserve stock, ready to alleviate the misery that must result from scarcity, whether occasioned by the failure of crops in other countries, or by political impediments.

In further reference to Return (A.), it will be noticed, that, over and above the information called for, I have subjoined a Summary, showing, not merely Receipt and Expenditure, but also the quantity and cost of the stock on hand, both at the commencement and at the end of the ten years, together with the general results of the whole of the operations of the "Government Grain Concern" for that period; and I would here entreat the attention of the honourable the Acting Lieutenant-Governor to the fact, that those operations were conducted without loss to the Government, after payment of every species of charge, whether of management or otherwise. It is true that the balance due to the Treasury for the stock on hand, on the 24th December 1834, was 41,379*l.*, and that the market value of that stock was only 36,527*l.*; but the difference of 4,852*l.* is more than compensated by the sums placed by the Treasurer to the credit of the General Revenue for interest acquired by the Local Treasury upon its own funds lent to this concern. Considering, then, that the Government must sometimes buy, however unfavourable the moment in respect of price, and that it does not sell when it might dispose of its whole stock at a considerable profit, (reserving it for objects of higher interest), I submit that the operations of the "Government Grain Concern" have been judiciously and successfully managed.

The stock on hand on the 24th ultimo, as per Estimate (E.), being for the greater part composed of purchases abroad, it may be necessary to explain, that the Government had abstained for some years from making any such purchases, although it might have done so with greater advantage; but in 1833-1834, when its stock was low, there was no alternative, the supplies from the Black Sea having wholly failed for two years, and the Government, previous to resorting to purchase abroad, having bought from the merchants on the spot all the wheat fit for preservation.

Whilst on this subject, it may not be unimportant to state, that from the abolition of the monopoly to the present time, the merchants have imported, and sold for consumption, 89 per cent. of the entire quantity of foreign wheat introduced into these possessions.

I have the honour to be, Sir, your most obedient humble Servant,

G. Ward,
Sup^{t} and Coll^{r}.

(A.)—RETURN of all Government Purchases and Sales of WHEAT, and all of the Salaries, Charges and Expenses of that branch of the GRAIN DEPARTMENT designated "GOVERNMENT GRAIN CONCERN," distinguishing each several head of Receipt and Expenditure, from 1825 to 1834, both years inclusive.

Year.	RECEIPT.						EXPENDITURE.															
	Sales of Wheat.		Custom Duty returned.	Proceeds of Dunnage and of OldStraw.	Discount of Bills paid before maturity.	Total Receipts.	Purchases through Agents abroad.				Purchases from the Trade in Port.		Interest on borrowed Capital.	Increase of the Wheat in Quantity ascertained when issued.	Expenses for reception and delivery.	Expenses of Government Agents' Missions to Egypt and Naples.	Brokerage on Purchases and Sales.	Salaries.	Office Expenses.	Special Remuneration to Cashier	Alimentary Allowances.	Rent of Stores.	Repairs to Office Stores and Fosses.	Total Expenditure.
	Quantities.	Proceeds.					Quantities.	Invoice Cost.	Freight on Wheat and Specie	Custom and Quarantine Duties.	Quantities.	Cost.												
	Salms.	£.	£.	£.	£.	£.	Salms.	£.	£.	£.	Salms.	£.	£.	Salms.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
1825	22,228	29,396	–	–	–	29,396	23,007	22,706	5,037	–	8,516	13,303	1,593	193	1,071	–	668	415	24	–	–	–	–	44,817
1826	16,057	24,876	–	15	–	24,891	8,949	8,974	2,873	669	–	–	1,506	155	527	–	269	442	10	200	–	–	340	15,810
1827	16,496	24,611	23	3	–	24,637	18,661	20,523	8,228	432	5,777	8,867	1,657	226	747	–	–	963	13	–	–	32	43	41,505
1828	16,876	29,143	54	3	–	29,200	10,652	12,783	2,426	216	21,316	33,130	2,235	256	965	30	227 (arrears)	695	10	–	39	16	104	52,876
1829	23,293	41,596	64	6	37	41,703	–	–	–	–	776	1,197	1,854	490	343	–	–	624	10	–	69	–	105	4,202
1830	15,657	22,203	45	5	–	22,253	–	–	–	–	8,685	11,431	1,246	334	297	–	–	1,000	4	–	14	8	–	14,000
1831	16,863	24,424	37	19	–	24,480	–	–	–	–	13,572	19,416	1,067	131	407	–	–	904	5	–	–	31	3	21,833
1832	7,676	12,933	32	3	–	12,968	–	–	–	–	6,844	11,624	1,069	85	242	–	–	776	2	–	–	16	–	13,729
1833	15,237	20,642	24	4	–	20,670	–	–	33	–	9,311	14,924	656	224	288	100	–	1,087	6	–	–	8	–	17,102
1834	12,114	17,660	–	2		17,662	20,187	31,623	2,706	–	481	824	1,415	191	678	–	–	1,092	6	160	–	16	–	38,520
Totals	162,497	247,484	279	60	37	247,860	81,456	96,609	21,303	1,317	75,278	114,716	14,298	2,285	5,565	130	1,164	7,998	90	360	122	127	595	264,394

Summary of the above Return, showing also the Quantity and Cost of the Stock on hand at the close of 1824, and again at the close of 1834, together with the final results of the above Concern at the latter period.

PURCHASES.			SALES.		
Salms.		£.	Salms.		£.
24,845	Stock of Wheat on hand on the 24th December 1824, and for which the Superintendent and Collector of the Grain Department was Debtor to the Local Treasury in the sum of	24,845	162,497	Wheat sold during the ten years, from 1825 to 1834, for	247,860
156,734	Purchased during the ten years from 1825 to 1834, and costing, including all Expenses and Charges of Management as above	264,394	*21,367	Stock of Wheat on hand on the 24th December 1834, and for which the Superintendent and Collector of the Grain Department is indebted to the Local Treasury £. 39,964	
2,285	Increase ascertained on the Issues	–		Add Interest due for 1834 not paid until 1835 1,415	41,379
Salms 183,864		£. 289,239	Salms 183,864		£. 289,239

* The market value of this stock on the 24th December 1834 was about £. 36,527.

The Stock of Wheat remaining and the Debt to the Local Treasury agreed with the Totals (namely, Salms 21,367 5 t. 4 m. and £. 41,379 18 s. 11¾ d.) resulting from the audited Accounts.

Grain Department, La Valletta, 22 December 1835. } *G. Ward*, Supt and Collr.

Wm Hy Thornton, Audr Gen.

(B.)

RETURN of all the DUTIES received by the Superintendent and Collector of the GRAIN DEPARTMENT, upon Grain or its Produce, and of all the Salaries, Charges and Expenses wherewith this Branch of the Grain Department, designated "REVENUE BRANCH," was charged, from 1825 to 1834, both Years inclusive; distinguishing each several Head of Receipt and Expenditure.

YEAR.	RECEIPT.													EXPENDITURE.									
	CONSUMPTION DUTIES ON				*PETTY DUTY ON				Consumption Duties on Indian Corn, Barley and other Inferior Grains:				STORE RENT.	Office Fees.	TOTAL Amount of Receipt for each Year.	Salaries.	Office Expenses.	Pay of Grain Assistants and Grain Guards.	CONSUMPTION DUTY returned on.				PETTY DUTY returned on Wheat.		Rent of Magazines.	TOTAL Amount of Expenditure for each Year.
	WHEAT.		WHEAT Manufactured.		WHEAT.		FLOUR.		IN GRAIN.		Manufactured.								WHEAT.		BARLEY.					
	Salms.	£.	*Cantars*	£.	*Salms.*	£.	*Cantars*	£.	*Salms.*	£.	*Cantars*	£	£.	£.	£.	£.	£.	£.	*Salms.*	£.	*Salms.*	£.	*Salms.*	£.	£.	£.
1825 -	59,845	33,458	987	605	- -	- -	- -	-	3,740	1,329	- -	-	307	2	35,701	1,710	31	103	- -	-	- -	- -	- -	-	16	1,860
1826 -	60,643	32,633	1,217	701	- -	- -	- -	-	6,876	2,301	- -	-	524	2	36,161	1,761	37	192	- -	-	- -	- -	- -	-	49	2,039
1827 -	67,757	38,139	871	498	- -	- -	- -	-	7,253	2,520	- -	-	815	1	41,973	1,504	33	249	35	21	346	137	- -	-	-	1,944
1828 -	49,747	25,825	1,275	727	36,581	609	145	2	5,337	1,799	93	36	603	1	29,602	1,504	30	230	68	39	359	123	- -	-	-	1,926
1829 -	54,960	23,757	2,194	804	54,960	916	422	5	8,697	2,461	184	61	518	71	28,593	1,501	29	220	50	27	1,009	304	50	1	-	2,082
1830 -	49,905	28,184	1,181	689	49,905	832	54	1	3,491	1,174	10	3	678	84	31,645	1,297	26	398	57	28	708	188	57	1	-	1,938
1831 -	65,460	33,956	981	505	65,460	1,091	59	1	10,276	3,206	7	2	522	91	39,374	1,295	29	424	71	40	680	206	71	1	-	1,995
1832 -	53,611	28,989	628	330	53,611	894	68	1	16,267	4,712	14	5	429	74	35,434	1,295	27	396	68	34	649	162	68	1	-	1,915
1833 -	59,591	32,833	478	299	- -	- -	- -	-	15,866	5,553	27	9	202	5	38,902	1,077	28	451	66	35	627	196	66	2	-	1,789
1834 -	55,150	29,999	539	318	- -	- -	- -	-	18,550	5,201	17	5	256	-	35,779	1,077	29	433	72	39	629	201	- -	-	-	1,779
TOTALS	576,669	307,773	10,351	5,476	260,517	4,342	748	10	96,353	30,256	352	121	4,854	332	353,164	14,021	299	3,096	487	263	5,007	1,517	312	6	65	19,267

* This Duty, which was substituted in 1828 for an ancient Impost, called the "Bollo del Pane," was wholly abolished at the end of 1832.

Totals (namely, £. 353,164. 11. 9½. Receipt, and £. 19,267. 18. 7. Expenditure) agreed with those resulting from the audited Accounts.

Grain Department, La Valletta, 22d December 1835.

G. Ward, Sup[t] and Coll[r].

Wm Hy Thornton, Auditor Gen.

(C.)

RETURN of the ANNUAL RENTAL derived from that portion of the Stores and Fosses belonging to the GRAIN DEPARTMENT, which was made use of by the Traders in Grain at *Malta*, during the last Ten Years, namely, from 1825 to 1834, both inclusive.

YEAR.	AMOUNT of RENT.	RATES OF STORE-RENT.
	£.	IN 1825:
1825	307	2 Tari, or $3\frac{4}{12}d.$ per Salm* for the first three months; and
1826	524	1 Tari, or $1\frac{8}{12}d.$ per Salm for every succeeding three months.
1827	815	From 1826 to (24th July) 1832, both inclusive:
1828	603	4 Pence per Salm for the first three months; and
1829	518	2 Pence per Salm for every succeeding three months.
1830	678	From 25th July 1832 prospectively:
		Pence per Salm.
1831	523	1 for the first three months.
1832	429	2 for any period above three and not exceeding six months; and
1833	202	3 for any period exceeding six months, however extended.
1834	256	

* The Salm is about $1\frac{1}{2}$ per Cent. less than the Imperial Quarter.

OBSERVATION.

NOT an eighth part of the Stores and Fosses belonging to the Grain Department, and applicable to the demands of the Traders in Grain (independently of those required for the Government stock of Wheat), was occupied during these Ten Years by the Trade.

Grain Department,
La Valletta, 22d December 1835.

G. Ward, Sup^{t} and Coll^{r}.

TOTALS agreed with those resulting from the audited Accounts.

W^{m} H^{y} Thornton, Auditor General.

(D.)

ESTIMATE, containing three distinct Valuations of the Annual RENTAL of that portion of the STORES and FOSSES belonging to the GRAIN DEPARTMENT which was devoted to the Service of the GOVERNMENT GRAIN CONCERN in *Malta* during the last Ten Years, namely, from 1825 to 1834, both inclusive.

	GROUNDS upon which the Valuation of the RENTAL is estimated.	ESTIMATED VALUE of the RENTAL.										
		1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	Average per ann.
		£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
First Valuation.	Estimated upon the intrinsic value of the property actually occupied by the Government Reserve Stock of Wheat, calculating such property to be worth, upon its cost for construction, 6 per cent. per annum, which is the maximum value of the best and highest rented buildings in the city. The construction of stores and fosses is free to any individual - - - - -	104	92	105	146	124	86	76	67	40	78	92
Second Valuation.	Estimated upon the quantities composing the Government reserve Stock, they being computed at the non-existing rates of store rent established in July 1832. This Estimate not only affords a fair criterion of the present as well as prospective value of the rental in question, but exhibits probably the nearest approximation to the rental which might have been realized in the Ten Years; for although the rates of store-rent, as may be seen below, were much higher previous to July 1832, yet it may be confidently assumed, that the quantities stored for long preservation, to which those rates were applicable, and upon which this Estimate is founded, would have been proportionably less had there been no Government Stock - - - - - - - - -	200	176	202	281	240	165	143	129	77	150	176
Third Valuation.	Estimated upon upon the Tariffs* of store-rent in force during these Ten Years, and assuming that the whole of the stores and foss-room occupied by the Government reserved Stock of Wheat would have been engaged by the traders in grain for the reception of an equivalent stock, in addition to that commonly maintained by them. But as there are no reasonable grounds to justify such assumption, any judgment of value deduced from this exaggerated Estimate would be fallacious. The most probable value of the rental for these Ten Years will be found in the preceding Estimate, No. 2 - - - - - - - - - - -	1,000	1,065	1,207	1,688	1,437	992	858	386	77	150	886

Observation.—The whole of the Stores and Fosses belonging to the Grain Department are capable of containing more than double the quantity of Wheat that was lodged in them during these Ten Years by the trade and Government jointly.

* The Tariff rates (the salm being about 1½ per cent. less than the imperial quarter) were as follows:
For the whole of the year 1825, 2 tari, or $3\frac{4}{12}d.$ per salm for the first three months; and 1 tari, or $1\frac{8}{12}d.$ per salm for every succeeding three months.
From 1826 to 24th July 1832, both inclusive, 4*d.* per salm - - ditto - - and 2*d.* per salm for - - - - ditto - - - ditto.
From 25th July 1832 prospectively, 1*d.* per salm for the first three months; 2*d.* per salm for any period more than three, and not exceeding six months; and 3*d.* per salm for any period beyond six months, however extended.

The undersigned coincides with respect to the above data, giving the preference to the Second Valuation.
W. H. Thornton, Audr Gen.

Grain Department, La Valetta, 22 December 1835. } *G. Ward*, Supt and Collr.

(E.)

ESTIMATE of the probable VALUE of the GOVERNMENT RESERVE STOCK of WHEAT on the 24th November 1835, specifying also the Number of Salms, and when and where purchased.

When and where Purchased.	Country of Growth.	Quantities.		Probable Value on the 24th Novemher 1835.
		Salms.	*Salms.*	£.
1833, November and December at Naples	Puglia -	10,967		
1835, January, at ditto	Ditto -	4,885		
1835, June, at Malta -	Ditto -	1,029	16,881	24,644
1834, February and May, at Palermo.	Sicily -	1,573		
1835, February to August, at ditto.	Ditto -	2,035	3,608	5,412
1833, November, at Malta.	Macedonia - -		1,195	1,494
1835, January, at ditto	Odessa - - -		1,265	2,108
	TOTALS - -		22,949	33,658, or on an average 29s. 4*d.* per salm.

Grain Department, La Valletta, 22 December 1835. } *G. Ward*, Supt and Collr.

Enclosure, No. 5, in No. II.

STATEMENT of the Sums collected through the Custom House, at *Malta*, between the Years 1825 and 1834, inclusive.

ARTICLES.	YEARS. 1825. £. s. d.	1826. £. s. d.	1827. £. s. d.	1828. £. s. d.	1829. £. s. d.	1830. £. s. d.	1831. £. s. d.	1832. £. s. d.	1833. £. s. d.	1834. £. s. d.	TOTAL. £. s. d.	Observations.
Abases (species of earth nut from Barbary)	From the Year 1825 to 1832, both inclusive; these Articles were entered in the Books of the Custom House under the head of Miscellaneous								– 1 3	– – 7	– 1 10	
Alum									– – –	– 17 9	– 17 9	
Animal Bones									– – 7	– – 4	– – 11	
Bacon and Lard	8 1 8	4 18 7	1 16 8	12 10 2	8 17 6	3 1 3	2 13 9	5 15 10	9 13 9	34 10 1	91 19 3	
Barilla	– – –	7 18 1	8 14 11	7 7 1	6 7 5	6 3 8	11 12 10	9 – 1	3 19 1	1 16 7	70 – 4	
Barley	23 13 6	39 10 4	51 3 3	37 18 3	64 15 7	23 12 3	102 19 2	72 8 4	– 1 1	– – –	416 1 9	– – Custom Duty Barley abolished 1833; 1 s. 1 d. is in arrear of 1832.
Beech wood	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	1 14 11	– 19 4	2 14 3	
Beef and Pork salted (British)	– 7 6	2 7 6	– 10 5	1 18 6	8 15 –	2 13 1	1 – 10	– – –	– 1 –	1 14 8	19 8 6	
Ditto (Foreign)	5 1 2	7 2 3	18 3 11	4 2 3	23 4 2	13 – 11	23 2 11	2 12 –	5 15 –	14 3 2	116 7 9	
Belzovins	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– – –	– 11 4	– 11 4	
Beer – per hogshead	26 14 2	22 17 6	22 10 10	37 – –	66 11 8	52 10 –	83 11 8	23 1 8	56 11 6	51 11 –	586 16 2	
Ditto – dozen									55 2 6	88 13 8		
Beet-root	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– – 5	– – –	– – 5	
Bottles, empty – (British)	2 6 6	1 6 2	– – –	6 10 6	25 10 9	14 12 8	17 8 4	2 19 7	1 16 –	4 11 3	77 1 9	
Ditto – (Foreign)	1 7 7	1 8 5	1 – 6	1 17 11	1 7 6	1 13 10	1 3 10	1 1 5	1 2 6	3 13 –	15 16 6	
Box-wood	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– – –	– – 8	– – 8	
Brandy	83 12 2	45 6 –	44 10 1	98 16 9	184 15 –	80 11 11	35 15 11	157 7 7	– – –	– – –	730 15 5	– – Custom Duty on Brandy abolished in 1833.
Brass	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– 9 8	– 12 –	1 1 8	
Brooms	7 6 2	1 13 8	2 1 4	5 18 10	1 13 2	– 4 11	1 7 2	– 6 –	1 – 4	– 12 –	22 3 7	
Bullocks' Tails	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– – –	– – 4	– – 4	
Butter (British)	– – –	From the Year 1825 to 1830, both inclusive, under the head of Manufactures					10 17 2	37 2 8	26 3 6	51 9 2	125 12 6	
Ditto (Foreign)							8 2 1	15 16 4	4 3 1	4 3 11	31 5 5	
Candles, Wax	– – –	From the Year 1825 to 1832, both inclusive, under the head of Manufactures					– – –	– – –	4 17 4	3 9 6	8 6 10	
Ditto – Spermaceti							– – –	– – –	15 1 8	12 12 5	27 14 1	
Ditto – Tallow							– – –	– – –	– 11 5	– – 8	– 12 1	
Canes	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– 6 3	– 1 11	– 8 2	
Carob Beans	42 4 11	33 16 11	26 5 3	60 4 3	32 10 10	25 1 2	46 13 –	29 12 2	63 16 3	119 15 8	480 – 5	
Cattle: Bullocks	– – –	– – –	– – –	1,257 – –	1,747 5 –	1,316 – –	1,366 10	1,010 10 –	1,232 7 –	1,301 7 –	9,230 19 –	
Cattle: Pigs	– – –	– – –	– – –	173 3 6	254 14 –	107 8 –	78 4 6	57 3 –	175 19 6	84 3 –	930 18 6	
Cattle: Sheep	– – –	– – –	– – –	100 – –	138 17 –	40 15 –	9 5 –	27 18 –	12 13 –	29 17 –	359 5 –	
Cattle: Goats	– – –	– – –	– – –	– – –	– – –	– – –	– – –	– – –	– 1 –	– – –	– 1 –	
Cattle: Mules	– – –	16 5 –	13 15 –	13 15 –	8 6 8	29 11 8	5 8 4	5 – –	2 – –	6 12 –	100 13 8	
Cattle: Horses	2 19 4	3 9 7	3 14 10	4 8 10	7 13 –	8 – 3	5 6 10	2 8 10	7 12 –	14 16 –	67 6 6	
Cattle: Asses									3 5 –	3 12 –		
Chairs	1 2 2	1 2 6	2 17 5	1 12 5	3 9 3	5 15 2	1 3 8	– 9 9	1 13 –	2 11 –	21 16 1	
Chalk	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– – 10	– 2 6	– 3 4	
Charcoal	108 15 2	85 2 5	97 8 8	122 12 11	103 8 3	78 14 8	158 14 –	274 10 6	636 2 10	742 18 4	2,408 7 9	
Cheese and Ricotta	147 6 3	225 2 –	147 15 8	254 7 1	178 5 11	150 16 4	168 9 3	182 11 2	120 19 8	142 13 9	1,718 5 3	
Ditto	23 9 10	49 14 7	52 3 9	23 1 10	42 3 3	35 5 9	15 14 8	15 – 4	100 – 4	41 5 1	307 19 5	
Chesnuts	22 18 10	22 15 5	42 14 3	38 10 4	30 – 9	25 – 2	28 18 1	26 6 6	68 10 6	86 12 2	392 7 1	
Cherry Juice	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– – –	– – 1	– – 1	
Cherry Wood										– 1 5	– 1 5	
Coals	27 6 2	14 15 –	10 19 5	43 6 10	54 7 5	71 12 4	76 19 5	23 12 6	82 13 5	91 12 11	497 5 5	
Cocoa	– – –	– – –	9 – 2	6 16 5	3 10 –	– 15 8	– 9 5	1 17 8	4 19 2	– 4 5	27 12 11	
Cocoa Nuts	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– – 4	– – –	– – 4	
Cochineal	– – –	7 12 9	5 11 11	8 19 1	10 10 3	– – –	2 13 4	9 12 6	5 6 10	– – –	50 6 8	
Coffee (British)	10 10 7	22 15 7	44 13 –	53 16 4	5 6 –	9 11 5	1 3 2	4 9 –	27 16 –	88 18 1	268 19 2	
Ditto (Foreign)	133 19 4	92 3 5	259 3 3	134 12 5	115 15 6	122 12 10	45 18 3	257 7 7	329 8 7	268 16 4	1,769 17 5	
Copper	– – –	From the Year 1825 to 1830, inclusive, under the head of Manufactures					7 19 6	3 – 10	5 5 –	15 14 –	31 15 6	
Copperas	– – –	From the Year 1825 to 1832, both inclusive, under the head of Manufactures					– – –	– – –	1 17 1	4 10 3	6 7 4	
Coral	– – –	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					– – –	– – –	– 1 6	– – –	– 1 6	
Coriander seed									– – 10	– – –	– 1 10	

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STATEMENT of the SUMS collected through the CUSTOM HOUSE at *Malta*, between the Years 1825 and 1834 inclusive—*continued*.

ARTICLES.	YEARS. 1825. £. s. d.	1826. £. s. d.	1827. £. s. d.	1828. £. s. d.	1829. £. s. d.	1830. £. s. d.	1831. £. s. d.	1832. £. s. d.	1833. £. s. d.	1834. £. s. d.	TOTAL. £. s. d.	Observations.
Pepper	23 11 8	58 18 7	28 13 11	41 15 –	22 14 8	11 10 –	3 8 10	2 16 10	27 – 6	60 15 9	281 5 9	
Pimento	- - -	From the Year 1825 to 1832, both inclusive, under the head of Spices					- - -	- - -	8 5 3	– 6 6	8 11 9	
Pine Nuts	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	– – 5	– – 4	– – 9	
Pipe Staves	2 18 3	5 10 9	3 2 1	3 11 5	3 13 2	4 12 4	1 15 –	1 12 9	– 4 –	– 18 2	27 17 11	
Pistacchio Nuts	– 17 8	– 16 9	1 – 9	1 3 8	– 8 4	- - -	– 7 3	– 5 8	- - -	- - -	5 – 1	
Pitch, Tar and Rosin	7 2 5	4 2 11	9 3 5	8 14 10	10 1 –	9 5 7	7 7 5	13 6 7	22 19 4	22 12 –	114 15 6	
Platters (wooden)	– 8 4	– 9 7	– 9 2	– 9 7	– 7 9	- - -	1 6 11	– 8 5	- - -	– 1 6	4 1 3	
Potatoes	17 1 4	16 6 3	33 6 –	56 8 7	77 8 7	45 17 7	52 4 9	81 6 8	104 2 1	65 14 –	549 15 10	
Pulse and Seeds: Acorns	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 6 9	– 6 9	
Beans	248 16 3	269 8 9	309 18 11	282 14 2	406 10 2	266 14 9	335 9 6	198 2 –	524 15 10	790 11 6	3,633 1 10	-- This amount includes the Duty on canary seed, caravances, chick pease, cumin seed, flax seed, grape seed, kidney beans, lentils, linseed, lupins, mustard seed, pease, sesame seed and vetches from 1825 to 1832, both years inclusive.
Canary Seed	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 4 2	1 3 –	1 7 2	
Caravances	- - -	- - -	- - -	- - -	- - -	- - -	- - -	151 2 –	309 19 5	354 10 10	815 12 3	
Chicks Peas	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	8 13 –	8 13 –	
Cumin Seed	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 10 11	- - -	– 10 11	
Flax Seed	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 1 8	– 3 7	– 5 3	
Grape Seed	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 13 2	– 13 2	
Hemp Seed	13 2 7	21 6 3	25 18 3	41 5 7	15 – 7	17 11 11	17 4 3	23 7 10	79 8 5	91 10 9	345 16 5	
Kidney Beans	- - -	- - -	- - -	- - -	- - -	- - -	- - -	67 13 –	17 7 9	27 7 9	112 8 6	
Lentils	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 5 6	2 9 2	2 14 8	
Linseed	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– – 10	- - -	– – 10	
Lupins	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– – 3	– – 3	
Mustard Seed	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 2 11	– 3 8	– 6 7	
Peas	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	3 1 1	1 – 6	4 1 7	
Sesame Seed	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 4 1	– 4 1	
Vetches	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	2 11 9	- - -	2 11 9	
Pumice Stone	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	– – 2	– – 1	– – 3	
Punk	- - -						- - -	- - -	1 – –	1 13 6	2 13 6	
Puzzolana	2 – 3	2 – 11	1 15 –	1 3 1	– 3 11	– 14 8	– 7 5	1 18 7	– 8 4	2 10 1	13 2 3	
Reed to dye with (curcuma)	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	– 1 7	– 19 6	1 1 1	
Rice	19 9 4	17 18 7	21 4 –	101 3 6	29 19 11	31 5 10	16 – 5	35 2 4	91 – 5	147 9 5	510 13 9	
Rods for basket making	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	– 16 –	– 8 –	1 4 –	
Rosolio and Liquors	3 5 9	3 – 10	2 3 9	21 – 3	10 3 11	10 7 1	10 5 1	17 5 7	- - -	- - -	77 12 3	
Rum	76 5 –	15 16 8	101 5 –	59 1 7	76 11 –	72 1 11	45 – 10	70 12 2	- - -	- - -	516 14 2	-- Custom Duty on rosolio, liquors and rum, abolished in 1833.
Rush, for chair bottoms	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	2 13 5	6 1 1	8 14 6	
Saluatrone	- - -						- - -	- - -	- - -	– – 2	– – 2	
Salt	3 3 9	- - -	2 13 9	– – 5	2 12 2	- - -	– 8 4	– 8 7	2 10 3	1 9 2	13 6 5	
Saltpetre	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	- - -	2 7 3	2 7 3	
Sausages (Meat)	– 14 5	– 14 4	– 14 3	3 14 2	1 2 8	1 3 7	– 10 10	3 3 10	4 3 1	12 12 5	28 13 7	
Senna	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	- - -	– 18 1	– 18 1	
Shafts for Calesses	- - -						- - -	- - -	– 5 1	– 11 4	– 16 5	
Shells	- - -						- - -	- - -	– – 2	- - -	– – 2	
Shot (leaden)	- - -	From the Year 1825 to 1832, both inclusive, under the head of Manufactures					- - -	- - -	– 11 –	2 10 6	3 1 6	
Shumack	– 4 6	6 9 1	4 18 8	– 12 1	2 2 –	– 6 1	– 12 6	2 – –	– – 7	1 17 9	19 3 3	
Silk (raw)	11 19 9	15 7 11	13 – 10	18 15 6	2 17 10	14 6 11	3 8 4	2 2 8	2 1 –	– 3 4	84 4 1	
Soap (hard)	28 3 2	10 14 2	9 15 –	6 10 –	5 7 10	14 3 11	12 4 3	12 19 2	34 – 4	19 11 7	170 14 4	
Ditto (soft)									4 15 2	12 9 9		
Spica Sceltica	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	– 13 –	– 9 2	1 2 2	
Spices (Cloves and Ginger)	2 13 9	7 9 10	10 10 8	3 3 2	1 19 4	5 2 6	4 8 3	4 6 6	15 4 5	41 4 3	104 8 9	
Ditto (all other kinds)									1 13 5	6 12 8		
Spunges (fine)	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	– 4 3	- - -	– 4 3	
Ditto (common)	6 – 10	1 8 2	– 17 –	– 14 8	– 5 6	5 6 8	9 13 1	10 1 2	1 10 9	2 3 9	38 1 7	
Steel	23 1 8	14 2 11	8 5 –	– 11 8	– 8 4	1 2 11	– 19 2	7 8 4	1 11 4	2 10 6	60 1 10	
Stick-lack	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies					- - -	- - -	5 4 6	3 9 8	8 14 2	
Sugar (raw) British	105 3 2	48 16 6	46 8 7	190 19 –	68 4 7	124 17 8	95 14 –	31 12 2	95 3 9	350 15 3	1,157 14 8	
Ditto (in loaves) ditto	- - -	180 7 2	189 – –	138 7 3	205 2 3	242 11 5	133 18 11	79 6 1	11 16 3	29 16 9	1,210 6 1	

Sugar (raw) - Foreign	104 13 10	320 17 6	362 5 11	280 7 7	151 5 10	172 7 11	138 13 4	126 12 3	403 12 4	350 9 7	2,411 6 1	
Ditto (in loaves) ditto	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	26 - 6	6 18 2	32 18 8	
Sulphur (raw) - -	21 13 7	31 7 6	5 4 10	11 15 7	1 10 6	4 2 10	12 4 9	7 17 1	- 10 6	9 13 11	106 5 4	
Ditto (in rolls) - -									- - 5	- 3 10		
Tallow - - - -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	1 18 8	1 16 -	3 14 8	
Tartar - - - -									- 8 8	- 14 1	1 2 9	
Tea (British East India Company's) - -	- 4 -	- - -	- - -	- - -	- 16 9	- - -	- - -	1 14 2	2 13 10	1 3 3	6 12 -	
Ditto (Foreign) - -	44 19 -	109 2 2	75 8 2	90 6 7	79 14 7	78 16 -	13 3 7	51 12 -	101 2 8	172 9 7	816 14 4	
Terra d'Ombra - - -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	- - -	- 1 2	- 1 2	
Teeth (Elephant) - -									- 1 2	- - -	- 1 2	
Ditto (Sea-horse) - -									- - 2	- - -	- - 2	
Tin (in bars) - - -	6 5 -	5 16 8	9 15 10	11 9 2	1 - 10	3 15 -	2 14 2	1 17 6	2 5 1	- 19 1	45 18 4	
Tin Plates - - -	- - -	From the year 1825 to 1830 inclusive, under the head of Manufactures - -					3 - -	5 4 -	1 5 -	11 16 -	21 5 -	
Tobacco Leaf - - -	44 4 2	108 9 -	59 - 4	80 7 -	30 7 1	86 17 9	131 7 8	99 5 9	78 16 4	85 4 7	803 19 8	
Cigars - - - -	- - -	From the year 1825 to 1832, both inclusive, under the head of Manufactures -					- - -	- - -	17 18 -	5 9 6	23 7 6	
Snuff - - - -									4 5 -	1 - 3	5 5 3	
Tobacco (prepared) - -	- - -	- - -	- - -	96 9 6	23 14 8	- - -	- - -	- - -	26 16 11	20 6 11	167 8 -	
Ditto (Negrohead) - -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Manufactures -					- - -	- - -	139 18 9	49 6 7	189 5 4	
Tow - - - -	- - -	- - -	- - -	- - -	4 13 8	- - -	- - -	- - -	2 15 8	6 6 1	13 15 5	
Treacle and Molasses -	- 6 7	1 13 10	- 16 8	2 16 -	- - -	- 4 3	- - -	- - -	24 13 5	20 2 8	50 13 5	
Trona - - - -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	- - 3	- 4 -	- 4 3	
Turpentine - - -									- - -	- 1 6	- 1 6	
Valonea - - - -	5 - 3	9 12 10	2 11 5	- 6 -	2 2 -	- 2 9	- 12 1	- - -	- 5 3	- - -	20 12 7	
Vermilion - - -	1 11 2	10 19 2	15 4 9	4 5 5	- 18 4	3 11 -	- 3 1	- - -	- - -	- - -	36 12 11	
Vinegar - - - -	13 18 -	9 1 11	7 18 4	6 10 9	15 7 3	8 2 7	8 3 9	8 11 1	- - -	- - -	77 13 8	--Custom Duty on Vinegar abolished in 1833.
Violet Wood - - -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	- - -	- 5 10	- 5 10	
Walnut Wood - - -									- 4 9	- 12 -	- 16 9	
Wax (yellow) - - -	23 9 4	38 9 -	36 5 7	13 5 10	10 3 9	28 15 3	20 18 9	15 14 2	15 2 3	8 3 7	226 6 9	
Ditto (white) - - -									11 13 -	4 16 3		
Wheat - - - -	672 7 11	1,183 8 7	1,174 14 8	1,139 9 4	719 2 9	896 5 11	1,300 14 6	1 046 17 1	16 14 7	- - -	8,149 15 4	--Custom Duty on wheat abolished in 1833; 16l. 14s. 7d. is an arrear of 1832.
Wine - - - -	1,325 7 2	1,330 19 7	1,171 11 9	1,417 14 8	1,422 12 11	1,558 5 10	1,406 18 2	1,263 3 4	- - -	- - -	10,896 13 5	
Wolf Skins - - -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	- - -	- - 7	- - 7	--Custom Duty on wine abolished in 1833.
Woods: Deals (thick) - -	7 19 7	3 3 6	2 19 4	13 2 5	13 5 7	7 7 11	10 8 11	11 2 11	2 4 11	1 16 1	73 11 2	
Ditto (middle-sized) -	49 15 8	46 7 11	66 7 2	96 10 4	30 9 -	35 17 5	42 6 1	35 8 2	5 4 9	5 9 3	513 15 2	
Ditto (thin) - -									60 8 1	39 11 4		
Rafters - - -	9 14 -	6 11 6	10 2 6	13 13 3	8 10 2	11 8 7	13 - 8	4 1 8	13 4 9	11 8 7	101 15 8	
Ship Timber - -	30 2 10	50 4 8	52 2 4	41 4 -	34 12 10	11 18 -	35 - 9	56 3 6	63 17 -	42 14 7	418 - 6	
Mahogany - -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	1 12 9	- 13 2	2 5 11	
Lignum-vita - -									- - -	3 6 1	3 6 1	
Pernambuco - -									2 12 6	- - -	2 12 6	
Logwood - - -	2 17 8	1 14 2	1 17 10	2 10 3	- 14 -	2 16 4	2 17 11	2 6 2	3 - 9	3 1 -	23 16 1	
Woods for dying -	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	1 14 1	1 9 1	3 3 2	
Firewood - -	59 19 9	74 17 -	56 14 -	25 7 -	47 17 10	16 3 11	38 12 2	41 12 6	187 18 9	351 14 3	900 17 2	
Wool, Sheeps' and Goats' -	42 2 11	32 17 2	6 7 4	9 10 -	2 4 7	6 13 7	1 - 9	7 6 1	- 16 9	1 10 -	110 9 2	
Zappino (a bark for dying)	- - -	From the Year 1825 to 1832, both inclusive, under the head of Miscellanies -					- - -	- - -	- - 3	- 7 6	- 7 9	
Store Rent on Goods bonded	232 1 7	195 3 6	222 2 10	361 14 10	198 14 -	167 2 10	109 7 -	98 10 -	213 9 8	374 7 1	2,172 13 4	
Certificates - - -	35 4 2	46 17 6	75 12 6	79 11 8	93 10 10	119 11 8	124 7 6	73 19 2	117 5 10	153 19 2	920 - -	
Printed Forms - - -	6 3 4	8 3 2	12 2 10	13 - 4	12 15 4	9 18 8	12 10 -	17 - 3	16 5 1	18 1 10	126 - 10	
Fines and Forfeitures -	10 9 2	55 6 10	245 3 7	5 15 9	12 2 10	- 10 2	11 - 2	25 - -	- - -	- - -	365 8 6	
Port Dues - - -	During these years the Port Dues were collected through the Office of Port Dues, but that Office was consolidated with the Custom House in 1831 -								1,936 17 7	3,038 18 2	3,624 7 9	8,600 3 6
	7,322 4 5	7,943 10 1	8,176 16 8	9,947 19 1	9,635 5 5	8,875 10 11	8,871 7 1	10,700 6 -	12,107 13 11	14,217 3 11	97,797 17 6*	

* From this Total should be deducted £. 6,847 10s. 6½d., being amount of Duties [*vide* Return A.] repaid to the Deputy Commissary General of the Troops, and to the Agent Victualler of the Navy, levied on Supplies imported for the use of His Majesty's Land and Sea Forces, and of Sums repaid to private Individuals as Drawbacks on Goods re-exported, and for Bounties on Seizures.

The above Annual Totals agreed, amounting together to £. 97,797 17 s. 6 d. sterling.

Valletta, 7 Dec. 1835. *Wm Hy Thornton*, Audr Genl.

Custom House, Malta, Nov. 16, 1835. *B. J. Bourchier*, Collector.

ACCOUNT of all EXPENSES on COLLECTION incurred in the CUSTOM HOUSE at *Malta*, between the Years 1825 and 1834 inclusively.

Years.	Salaries.	Gratuities.	Boat-hire, repairing steel-yards, subscription to the Weekly Sales and Prices Current, Bonding Stores, Expenses and Minor Charges.	TOTAL.
	£. s. d.	£. s. d.	£. s. d	£. s. d.
1825	1,281 13 4	16 13 4	11 16 6	1,310 3 2
1826	1,317 6 –	16 13 4	13 10 9	1,347 10 1
1827	1,313 17 5	50 2 –	18 12 8	1,382 12 1
1828	1,113 – –	16 13 4	19 17 2	1,149 10 6
1829	1,113 – –	16 13 4	12 11 7	1,142 4 11
1830	1,113 – –	16 13 4	17 – 6	1,146 13 10
1831	1,089 3 8	36 13 4	10 19 7	1,136 16 7
1832	1,103 14 3	152 17 9	14 9 11	1,271 1 11
1833	1,110 3 –	- - -	17 1 –	1,127 4 –
1834	1,117 11 –	- - -	23 3 4	1,137 15 4
£.	11,672 8 8	322 19 9	156 3 –	12,151 11 5

Annual Totals agreed (amounting together to £. 12,151. 11. 5.)

Wm Hy Thornton, Audr Genl.

B. J. Bourchier, Collector.

RETURN (A.)

DRAWBACKS and BOUNTIES paid to the DEPUTY COMMISSARY GENERAL, AGENT VICTUALLER and PRIVATE INDIVIDUALS, between the Years 1825 and 1834 inclusively.

ARTICLES.	YEARS. 1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Barley	5 13 7	15 12 4	2 19 5	2 – 3	2 13 8	10 1 10	14 – 8	6 17 3	2 9 6	- -	62 8 6
Cattle	- -	- -	- -	124 – –	673 – –	933 15 –	832 10 –	670 15 –	642 15 –	770 12 –	4,647 7 –
Bounties on Seizure	4 15 4	18 17 1	80 14 1	1 17 8½	4 – 11	- - -	3 13 4	- -	- -	- -	113 8 5½
Carrubs	- -	- -	- -	- -	- - -	- - -	– 14 2	– 18 8	2 3 8	3 4 6	7 1 –
Cocoa	- -	- -	- -	- -	- - -	- - -	3 – –	- -	- -	- -	3 – –
Coals	- -	- -	- -	- -	- - -	- - -	2 10 –	- -	- -	1 10 –	4 – –
Caravances	- -	- -	- -	- -	- - -	- - -	- - -	– 19 5	1 16 –½	– 16 8	3 12 1½
Cheese	- -	- -	- -	- -	- - -	- - -	- - -	- -	37 16 –	- -	37 16 –
Firewood	- -	- -	9 3 10	14 9 9	7 14 11	15 15 7	26 19 5	19 6 4	48 – 8	33 15 1	175 5 7
Gunpowder	- -	- -	- -	- -	3 – 9	3 13 6	3 19 6	- -	6 13 11	- -	17 7 8
Indian Corn	- -	3 13 11	- -	- -	- - -	1 3 4	- - -	2 10 10	- -	- -	7 8 1
Lemon Juice	- -	- -	- -	- -	- - -	- - -	- - -	- -	3 9 6	2 11 1¼	7 – 7¼
Oil	- -	- -	5 18 2½	11 11 1	12 12 4	12 18 2	11 3 6¾	10 – 5¼	8 6 5¼	10 17 9¾	83 8 –½
Port Charges	- -	- -	- -	- -	- - -	- - -	- - -	2 19 –	9 1 5	- -	12 – 5
Pepper	- -	- -	- -	- -	- - -	- - -	- - -	- -	- -	– 4 –	– 4 –
Raisins	- -	- -	- -	- -	- - -	- - -	- - -	– 5 –	1 – –	- -	1 5 –
Rice	- -	- -	- -	- -	- - -	- - -	- - -	- -	- -	– 16 –	– 16 –
Spirits	6 15 11	3 4 –	2 2 7	3 11 6	9 15 1	6 17 10	3 2 7	- -	- -	- -	35 9 6
Sugar	- -	- -	- -	- -	- - -	- - -	10 1 8	7 18 9¾	27 2 6	68 9 9¼	113 12 9
Tobacco	- -	- -	5 11 10	- -	- - -	- - -	- - -	- -	- -	- -	5 11 10
Wine	31 3 5	34 10 –	55 3 1½	107 4 10	185 9 9	154 19 3	76 2 1	- -	– 1 7	- -	644 14 –½
Wheat	7 2 10	28 2 9	65 8 8¾	70 3 3	106 12 8½	116 10 10¾	300 10 7¾	137 13 2½	33 7 10	- -	865 12 10¼
Wooden Hoops	- -	- -	- -	- -	- - -	- - -	- - -	- -	– 1 1	- -	– 1 1
£.	55 11 1	104 – 1	227 1 9¾	334 8 4½	1,005 – 1½	1,255 15 4¾	1,288 7 7½	860 3 11½	824 5 1¾	892 16 11¼	6,847 10 6½

Annual Totals agreed (amounting together to £. 6,847. 10. 6½.)

Wm Hy Thornton, Audr Genl.

B. J. Bourchier, Collector.

Enclosure No. 6, in No. II.

STATEMENT of all DUTIES collected by the EXCISE at *Malta*, between the Years 1825 and 1834 inclusively.

YEAR.	DUTY ON WINES.	VINEGAR.	SPIRITS.	STORE RENT.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1825 - - -	9,755 13 2	152 14 2	1,031 5 3	15 4 2	10,954 16 9
1826 - - -	9,383 2 2	98 19 5	667 10 3	52 13 4	10,202 5 2
1827 - - -	8,687 4 8	90 4 11	1,146 1 4	60 16 11	9,984 7 10
1828 - - -	12,398 4 7	85 5 8	2,962 - 7	95 7 2	15,540 18 -
1829 - - -	12,282 6 10	200 4 1	3,082 - 6	181 5 2	15,745 16 7
1830 - - -	13,956 8 8	105 9 1	2,785 19 8	173 - 3	17,020 17 8
1831 - - -	12,585 10 10	106 14 -	1,495 3 4	117 10 5	14,304 18 7
1832 - - -	11,694 14 2	107 17 2	2,599 14 10	94 1 10	14,496 8 -
1833 - - -	13,910 11 4	65 14 11	2,158 18 9	60 - -	16,195 5 -
1834 - - -	13,750 15 8	348 13 1	2,625 12 4	90 9 4	16,815 10 5
£.	118,404 12 1	1,361 16 6	20,554 6 10	940 8 7	*141,261 4 -

* From this Total should be deducted £. 7,291. 17*s*. 4*d*., being amount of duties (*see below*, Return B.) repaid to the Deputy Commissary General of the Troops and to the Agent Victualler of the Navy, levied on Wine and Spirits imported for the use of His Majesty's land and sea forces, and of sums repaid to private individuals as drawbacks on Wine and Spirits re-exported, which will reduce the net receipts to £. 133,969. 6*s*. 8*d*.

Custom House, Malta, Nov. 16, 1835. *B. J. Bourchier*, Collector.

The foregoing Annual Totals agreed (amounting together to £. 141,261. 4*s*.)

Valletta, 7th December 1835. *Wm Hy Thornton*, Auditor General.

ACCOUNT of all EXPENSES on COLLECTION incurred in the EXCISE OFFICE at *Malta*, between the Years 1825 and 1834, inclusively.

YEAR.	SALARIES.	GRATUITIES.	Subscription to Price Current, Bonding Stores and Incidental Expenses.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1825 - - - - -	570 9 4¼	- - -	3 10 11¼	574 - 3¾
1826 - - - - -	570 9 5	- - -	3 18 1	574 7 6
1827 - - - - -	535 19 10	- - -	5 - 3	541 - 1
1828 - - - - -	308 14 -	- - -	143 8 8	452 2 8
1829 - - - - -	323 14 -	- - -	8 6 8	332 - 8
1830 - - - - -	326 14 -	78 4 -	5 - -	409 18 -
1831 - - - - -	326 14 -	- - -	5 - -	331 14 -
1832 - - - - -	372 8 -	- - -	5 - -	377 8 -
1833 - - - - -	472 8 -	- - -	5 11 1	477 19 1
1834 - - - - -	440 13 -	- - -	4 - -	444 13 -
£.	4,248 3 7¼	78 4 -	188 15 8¼	4,515 3 3¾

Annual Totals agreed (amounting together to £. 4,515. 3*s*. 3¾*d*.)

Wm Hy Thornton, Auditor General.

RETURN (B.)

DRAWBACKS paid to the DEPUTY COMMISSARY GENERAL, AGENT VICTUALLER and PRIVATE INDIVIDUALS between the Years 1825 and 1834 inclusively.

YEAR.	ON WINES.	SPIRITS.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.
1825 - - - - -	365 2 9½	180 2 -	545 4 9½
1826 - - - - -	440 18 4½	60 11 3	501 9 7½
1827 - - - - -	462 15 10	36 11 10	499 7 8
1828 - - - - -	963 - 3	48 17 10	1,011 18 1
1829 - - - - -	1,937 9 10	113 13 8	2,051 3 6
1830 - - - - -	1,077 4 2	610 19 10	1,688 4 -
1831 - - - - -	760 9 2	69 7 5	829 16 7
1832 - - - - -	11 5 -	- - -	11 5 -
1833 - - - - -	3 12 2	84 15 10	88 8
1834 - - - - -	62 16 2	2 3 11	65 - 1
£.	6,084 13 9	1,207 3 7	7,291 17 4

Annual Totals agreed (amounting together to £. 7,291. 17*s*. 4*d*.)

Wm Hy Thornton, Auditor General.

Enclosure, No. 7, in No. II.

RETURN of the SUMS COLLECTED in the QUARANTINE DEPARTMENT, from 1 January 1825 to 31 December 1834 inclusive.

HEAD OF RECEIPT.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Shipping in Quarantine	2,772 14 3	2,587 4 4	3,507 4 3	3,635 17 3	3,388 8 2	2,941 15 –	4,096 15 –	5,216 – –	3,092 5 6	2,433 19 –
Effects undergoing Quarantine, viz.: —										
Depuration of Susceptible Goods	623 2 3	839 4 8	436 14 4	446 18 8	292 13 9	287 7 8	281 15 8	167 – –	192 16 8	262 6 8
One per Cent. on ditto	492 4 8	197 14 7	228 14 3	328 12 9	83 11 4					
Half per Cent. on Non-Susceptible Goods	679 7 5	738 12 4	1,053 12 6	859 14 9½	597 12 10	843 7 3	1,268 12 2	1,692 6 11	216 18 5	166 18 3
Dues on Cattle landed in the Lazaretto	286 19 7	411 7 1	359 1 3	459 7 1	596 17 6	582 12 –	572 5 –	426 15 –	446 18 –	506 16 –
Ditto on Goods left in the Lazaretto beyond the time limited for removal	80 13 7	– 19 9	129 10 5	97 11 7	122 2 2					
Persons performing Quarantine in the Lazaretto	124 13 4	123 15 10	136 7 6	174 16 4	152 – 10	155 12 3	257 12 7	172 7 1	172 4 10	250 8 3
Fees on Documents issued under the Office Seal	32 18 4	31 5 –	40 – –	41 13 4	38 15 –	43 10 10	66 – 10	90 16 8	91 5 –	99 10 –
New Mole Duty on Goods landed or shipped therefrom	8 4 3	2 8 3	– 16 8	26 15 7	2 – 8					
Boat-hire on packages removed from the Great Harbour to the Lazaretto	– – –	– – –	– – –	– – –	– – –	26 14 –	9 19 –			
£.	5,100 17 8	4,932 11 10	5,892 1 2	6,071 7 4½	5,274 2 3	4,880 19 –	6,553 – 3	7,765 5 8	4,212 8 5	3,717 18 2

Annual Totals agreed with those resulting from the audited Accounts.

Wm Hy Thornton,
Audr Genl.

Quarantine Department, Malta.

H. Greig,
Superintendent of Quarantine.

ACCOUNT of the SALARIES and EXPENSES incurred in the QUARANTINE DE[illegible]

HEADS OF EXPENDITURE.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Salaries	2,752 16 2	2,833 9 2¼	2,833 18 –	2,826 16 9	2,802 18 3	2,803 – –	2,803 – –	2,692 11 9	2,760 17 10	2,805 12 –
Pay of Guardians attending Ships, Passengers and Goods in Quarantine	1,555 19 2	1,817 12 11	1,971 7 –	1,555 18 7½	1,565 17 4	1,572 10 8	1,590 5 4	1,697 10 5	1,659 4 7	1,633 11 6
Ecclesiastical Duties	12 12 1	13 5 5	13 3 4	12 10 10	12 17 1	13 3 4	13 1 3	13 3 4	12 17 1	12 12 11
Allowance to the Superintendent in lieu of two rations of Forage, &c.	76 – 10	76 – 10	76 – 10	31 13 4						
Repair of the Transporting Buoys	4 11 5	17 8 9¾	267 14 –¾	- - -	7 13 1					
Petty Expenses	10 1 2	11 13 9	10 – –	10 – –	10 – –	10 – –	10 – –	10 – –	10 – –	10 – –
Guard Boats placed over Ships in Quarantine	20 14 2	65 3 –	76 18 10	64 2 6	43 14 2	39 19 5	178 4 10	173 5 9	130 14 3	112 10 1
Utensils for fumigation, and other articles for the Lazaretto	13 17 3	11 11 6	51 19 9	23 9 8	17 18 6	15 6 10	46 18 6	24 13 –	61 19 4	45 11 10
Ingredients for fumigation	45 2 8	24 15 10	44 7 1	17 5 –	21 16 9	26 7 5	27 14 2	18 12 11	25 – –	20 15 –
Pay of the Secretary to the Board of Health	- - -	73 17 9	100 – –	100 – –	100 – –	100 – –	100 – –	50 – –		
Depuration of Apartments and digging of Graves in the Lazaretto	- - -	- - -	20 10 2	4 7 6	4 15 –	4 10 –	1 – –	7 18 –	8 11 11	17 7 –
Pension of one of the Barrier Keepers	- - -	- - -	- - -	3 10 –	15 4 2	6 5 10				
Expenses for deputrating the Russian Frigate, "Lastore," in 1828, and His Majesty's Corvette, "Tyne," in 1834	- - -	- - -	- - -	76 13 –	- - -	- - -	- - -	- - -	- - -	19 10 –
Pay of the Keeper of the Loradino Parlatorio	- - -	- - -	- - -	9 2 9	40 – –	50 – –	50 – –	50 – –	25 – –	
Ditto - of two Letter Sorters	- - -	- - -	- - -	15 12 6						
Allowance to the Clerk attending at the Loradino Parlatorio	- - -	- - -	- - -	10 – –	6 – –	6 – –	6 – –	6 – –	3 – –	
Furniture for the Lazaretto	- - -	- - -	- - -	- - -	3 13 10	10 – –	16 17 10	10 – –	15 – –	10 17 –
Maintenance of Persons infected with Small Pox in the Lazaretto	- - -	- - -	- - -	- - -	- - -	10 13 4¾				
Allowance to the Captain of the Lazaretto in lieu of house-rent	- - -	- - -	- - -	- - -	- - -	18 15 –				
Ditto - to Medical Men employed by the Board of Health	- - -	- - -	- - -	- - -	- - -	- - -	11 – –	13 3 4	19 15 –	
Calesse hire for the Quarantine Officers sent to the different Bays	- - -	- - -	- - -	- - -	- - -	- - -	2 5 –	2 5 –	5 6 8	9 12 10
Remuneration to the Secretary of the Board of Health	- - -	- - -	- - -	- - -	- - -	- - -	- - -	50 – –	47 2 –	25 19 4
Ditto - for translating Greek Bills of Health	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	1 10 –	3 15 –
Quarantine Charges refunded	4 3 4	3 5 –	4 1 8	6 3 6	5 8 11	- - -	- - -	3 15 –		
£.	4,495 18 3	4,948 4 –	5,470 – 8¾	4,767 5 11½	4,657 17 1	4,686 11 10¾	4,856 6 11	4,822 18 6	4,785 18 8	4,727 14 6

Annual Totals agreed with those resulting from the audited Accounts.
Wm Hy Thornton, Audr Gen.

Quarantine Department, Malta.

H. Greig,
Supt of Quarantine.

MALTA.

RETURNS

RELATING TO

COUNCIL OF GOVERNMENT,

AND

CUSTOMS AND EXCISE DUTIES.

(*Mr. Ewart.*)

Ordered, by The House of Commons, *to be Printed,*
19 *February* 1836.

COPIES OR EXTRACTS

137

OF

REPORTS

OF THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

AFFAIRS OF THE ISLAND OF MALTA,

AND OF CORRESPONDENCE THEREUPON.

Part I.

[PRESENTED TO PARLIAMENT BY HER MAJESTY'S COMMAND.]

Ordered, by The House of Commons, *to be Printed,*
16 *February* 1838.

[*Price* 10*d.*]

SCHEDULE.

No. 1.—Copy of a Despatch from the Commissioners to Lord Glenelg, dated Valletta, 3 November 1836 - - - - - - - - - - - - - - - - p. 3

No. 2.—Extract of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 5 February 1837 - - - - - - - - - - - - - - - - - p. 5

No. 3.—Extract of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 10 March 1837, enclosing Report on the Expediency of introducing into Malta a liberty of Printing and Publishing - - - - - - - - - - - - - - - - p. 6

No. 4.—Extract of a Despatch from Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B., dated Downing-street, 27 November 1837 - - - - - - - - - - p. 26

No. 5.—Extract of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 1 April 1837 (1 Enclosure) - - - - - - - - - - - - - - - p. 27

No. 6.—Report on the Expediency of making certain Changes in the Duties levied on Imports into Malta, dated Malta, 4 May 1837 - - - - - - - - - - - - p. 29

No. 7.—Copy of a Despatch from Major-General Sir H. F. Bouverie, K.C.B., to Lord Glenelg, dated Malta, 29 April 1837 - - - - - - - - - - - - - - p. 44

No. 8.—Copy of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 5 May 1837 (1 Enclosure) - - - - - - - - - - - - - - - - p. 45

No. 9.—Copy of a Despatch from Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B., dated Downing-street, 24 August 1837 (4 Enclosures) - - - - - - - - p. 46

No. 10.—Report on Malta Government Charities, dated Malta, 4 May 1837 - - - p. 49

No. 11.—Copy of a Despatch from Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B., dated Downing-street, 29 May 1837 - - - - - - - - - - - - p. 56

No. 12.—Report on the Department of Marine Police, dated Malta, 2 June 1837 (3 Enclosures), p. 57

No. 13.—Copy of a Despatch from Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B., dated Downing-street, 6 July 1837 - - - - - - - - - - - - p. 67

No. 14.—Copy of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 3 July 1837, p. 68

No. 15.—Extract of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 31 August 1837 - - - - - - - - - - - - - - - - - p. 70

No. 16.—Extract of a Despatch from Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B., dated Downing-street, 30 September 1837 - - - - - - - - - p. 73

No. 17.—Copy of a Despatch from Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B., dated Downing-street, 1 September 1837 - - - - - - - - - - p. 73

No. 18.—Copy of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 20 September 1837 - - - - - - - - - - - - - - - - p. 74

No. 19.—Copy of a Despatch from Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B., dated Downing-street, 14 October 1837 - - - - - - - - - - - p. 75

No. 20.—Extract of a Despatch from the Commissioners to Lord Glenelg, dated Malta, 1 November 1837 - - - - - - - - - - - - - - - - p. 76

REPORTS of the COMMISSIONERS appointed to inquire into the AFFAIRS of the ISLAND of MALTA.

— No. 1. —

COPY of a DESPATCH from the Commissioners to Lord *Glenelg*.

No. 1.
Commissioners to Lord Glenelg, 3 Nov. 1836.

My Lord, Valletta, 3 November 1836.

WE have the honour to inform your Lordship, that on the 10th of October we set sail from Marseilles in the Vernon, which had been sent by the Admiral of the Mediterranean squadron from the Levant to carry us to Malta, and that on the 20th we arrived in the harbour of Valletta, where it was necessary for us to perform a quarantine of some days, as the Vernon, in which we sailed, had touched at Smyrna. We came out of the Lazaretto on the 26th, and have since been provided by the local Government with two houses, which suffice for the business of the Commission, and for the dwelling of ourselves and our secretary.

Having caused our Commission, and the Order in Council relating to it (transmitted by your Lordship to Sir Frederick Hankey), to be published in the Government Gazette of October 26th, we have not thought any further notification of our authority to be necessary, and we have accordingly at once proceeded to commence our inquiry by the examination of witnesses. It is our intention, in the first instance, to hear the statements of those who complain of the system or practice of the Government, in order to ascertain as precisely as possible the character of the evils under which the Maltese people are alleged to labour, before we seek for more specific information from the local executive authorities.

As at present informed, we believe that the law of the press will be the first subject which will engage our attention.

As an expectation seemed to prevail generally in this island that our proceedings would be conducted publicly, we have thought it advisable to depart so far from the usual practice of commissions of inquiry as to authorize the presence during our examinations of a limited number of persons, to be appointed on the part of the Government and the complainants severally, should they be inclined to avail themselves of this permission: we have, of course, reserved to ourselves the power of clearing the room at any time, and for any reason which we may judge fit. We do not think it necessary to trouble your Lordship with our reasons for making this arrangement, from which we apprehend no inconvenience whatever.

Shortly after our arrival we received a communication from Sir Frederick Hankey, in reference to a despatch of your Lordship's, published in a Minute of the local Government of the 21st of July last, which authorized a further extension of the time allowed for the consideration of the two criminal codes, "with the concurrence and sanction of the Commissioners of Inquiry." Under the circumstances of the case, we had no hesitation in approving of a postponement of the period at which these codes were to come into operation, and we have the honour to enclose a copy of the Minute by which this period has been postponed.

Agreeably to your Lordship's commands, we have communicated our instructions to the acting Lieutenant-governor, and to him alone.

In conclusion, we beg to say that the reception which we have met with since our arrival, both from the local Government and the people of Malta, gives us strong grounds for hoping that we may be enabled to conduct our inquiry in a spirit of friendliness to all parties affected by it; and we at present foresee no difficulties except those arising from the nature of the subject itself.

We have, &c.

(signed) *John Austin,*
Geo. C. Lewis.

No. 1.
Commissioners to Lord Glenelg.
3 Nov. 1837.

WILLIAM the FOURTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, to our Trusty and Well-beloved *John Austin*, Esquire, and *George Cornewall Lewis*, Esquire, greeting.

Whereas, upon representations which have been made to us of the inconveniences experienced, and the evils apprehended from the want of a fixed and defined system of civil government in the Island of Malta and its dependencies, and from the imperfection of the ancient laws and judicial practice there established, as also of the advantages which may be justly expected to result to our subjects in the said island and its dependencies, and to the British empire at large, from the introduction of a permanent and salutary system of polity, by which the prosperity of the Maltese nation may be secured, and their interests consolidated with those of Great Britain, we have thought fit to cause inquiry to be made into the grounds of the said representations, and other matters touching the same. Now know ye, that we, having especial trust and confidence in your approved wisdom and fidelity, have assigned, nominated, and appointed, and do by these presents assign, nominate, and appoint you, the said John Austin and George Cornewall Lewis, to be our Commissioners, to repair to our said Isand of Malta, and by these presents do give you, and each of you, full power and authority to examine into all the laws, regulations, and usages of the said island and its dependencies, and into every other matter or thing in any way connected with the administration of the civil government, the principles and practice of the judicature, the civil and ecclesiastical establishments, the revenues, trade, and internal sources thereof, and to report to us, through one of our principal Secretaries of State, the information which you shall collect, together with your opinion whether any and what changes are necessary to be made in the administration of affairs within our said island and its dependencies, in order to fulfil our gracious intentions, and to promote the happiness and prosperity of our Maltese subjects, reducing your proceedings, by virtue of these presents, and your observations touching and concerning the premises, into writing, to be certified under your hands and seals respectively, and to be presented unto us as aforesaid.

And we do hereby require our Governor or officer administering the government of our said Island of Malta and its dependencies, and all and every our officers and ministers in the said island and its dependencies, to be aiding and assisting to you, and each of you, in the due execution of this our Commission. In witness whereof, we have caused these our letters to be made patent.

Witness Ourself at Westminster, the 10th day of September, in the seventh year of our reign.

(L. S.)

At the Court of St, James's, the 21st of September 1836.

(L.S.)

Present,

The King's Most Excellent Majesty,

Lord Chancellor,	Viscount Melbourne,
Lord Chamberlain,	Lord Holland,
Earl of Minto,	Lord Denman,
Lord John Russell,	Lord Glenelg,
Viscount Palmerston,	Mr. Chancellor of the Exchequer.

Whereas, by a Commission under the Great Seal, bearing date at Westminster the 10th day of September 1836, His Majesty was pleased to appoint John Austin, Esquire, and George Cornewall Lewis, Esquire, His Majesty's Commissioners for the purpose of instituting and carrying on at Malta certain inquiries into the administration of the civil government of that island and its dependencies; and whereas it is necessary that provision be made for the effectual execution of the said Commission, it is therefore hereby ordered by His Majesty, by and with the advice of His Privy Council, that it shall be competent to the said Commissioners jointly, or to either of them separately, by any citations or citation under their or his hands or hand, from time to time to require the attendance before them jointly, or before either of them separately, of any persons or person whom they, the said Commissioners, or either of them, may be desirous to examine, touching the matters referred to their inquiry by the said Commission, or touching any of such matters.

And it is further ordered, that if any person upon whom any such citation shall be served, in the manner to be hereinafter provided by any general rule to be promulgated, according to the powers hereinafter contained, shall not appear, at the time and place to be thereby for that purpose appointed, or appearing shall refuse or fail to answer such questions as shall then and there be proposed to him or her, by the said Commissioners, or either of them, touching the matters so referred as aforesaid to their inquiry, or any of such matters, it shall be lawful for the said Commissioners jointly to impose upon any such person a fine, not exceeding 20 *l.*, or to commit such person to any common gaol in the said island, for any time not exceeding 14 days, and again from time to time, on the repetition of any such offence, to subject any such offender, within the limits aforesaid, to such fine or imprisonment.

And it is further ordered, that it shall be lawful for the said Commissioners, or either of them, to examine any witness appearing before them, at their discretion, either on the oath, or on the solemn affirmation of such witness, and any person who being so examined on oath

No. 1.
Commissioners to Lord Glenelg, 3 Nov. 1836.

oath shall wilfully and corruptly make any false statement before the said Commissioners, or either of them, shall be and be deemed guilty of perjury, and shall for that offence be liable to be prosecuted and punished, in such manner and before such courts as by any law in force in the said island any person guilty of perjury may now be prosecuted and punished; and any person who being so examined on his or her solemn affirmation shall wilfully and corruptly affirm falsely before the said Commissioners, or either of them, shall, for such his or her offence be liable to fine and imprisonment within the limits aforesaid, to be imposed by the said Commissioners jointly.

And it is further ordered, that the said Commissioners shall be and are hereby authorized and required to call for and require the production of all public muniments, records, and papers, which they or either of them may be desirous to examine, in furtherance of such their inquiries; and it shall be the duty of all persons in charge of such muniments, records, or papers, and they are hereby required to produce the same, and, if necessary, to deposit them with the said Commissioners, to be carefully preserved in their custody for the purposes aforesaid.

And it is further ordered that the said Commissioners shall be, and they are hereby authorized to make and promulgate, all such general rules as to them may seem expedient and necessary, respecting the forms of such citations as aforesaid, and respecting the persons by whom, and the manner in which the same shall be served upon the persons to whom they shall be addressed, and respecting the forms of any adjudications to be made by them for the imposition of such fines, and for the commitment of offenders to gaol, within the limits aforesaid, and respecting the execution of any such adjudications; all which general orders being published for general information within the same island, shall be of such and the same force and authority as if they had been inserted and contained in the present Order.

And the Right Honourable Lord Glenelg, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. C. Greville.

MINUTE by the Acting Lieutenant-Governor.

The acting Lieutenant-governor, referring to the Minute of the 20th of September last, is hereby pleased to notify, that with the concurrence and sanction of His Majesty's Commissioners of Inquiry, the bringing the new criminal codes into operation will be postponed from the beginning of the ensuing year to a later period of that year, for the purpose of affording an extension of the time, fixed by the Minute of the 21st July last, for receiving observations and suggestions in regard to the said codes.

Such observations and suggestions, addressed to the Chief Secretary of the Government, will be received until the 30th of April next, and will be dealt with in the manner stated in the aforesaid Minute of the 21st of July last.

By command of the acting Lieutenant-governor,

(signed) *Frederick Hankey,*
Chief Sec. to Government.

Palace, Valletta, 29 Oct. 1836.

— No. 2. —

No. 2.
J. Austin, Esq. and G. C. Lewis, Esq., to Lord Glenelg, 5 February 1837.

Extract of a DESPATCH from *John Austin* and *George C. Lewis*, Commissioners for inquiring into the Affairs of *Malta*, to Lord *Glenelg*, dated Malta, 5 February 1837.

We have had the honour of receiving your Lordship's despatch of the 31st December last, in which your Lordship instructs us to examine and report upon the question, "How the resolution to discontinue the Government interference with the corn trade of Malta can be carried into execution most effectually, and with the least temporary inconvenience or distress to the parties who will be more immediately affected by the measure."

We shall shortly begin our investigation of the public revenue and expenditure; and, for the purpose of facilitating the inquiry, we have already sent a set of queries to each of the Government departments. In order to carry into effect your Lordship's late instruction, we shall commence our inquiry with the Grain Department, to which the collection of the import duties on grain is intrusted. If it should appear (as is alleged by some of the English and Maltese merchants) that the small discriminating duties on grain imported in foreign vessels are a considerable obstacle to the supply of grain by private traders, and may therefore endanger the success of the late measure of the Government in abandoning the system of reserving a stock; and if it should also appear that the loss of these duties would not be felt by the public revenue, we shall probably

No. 2.

J. Austin, Esq. and G. C. Lewis, Esq., to Lord Glenelg, 5 February 1837.

recommend the immediate repeal of them to his Excellency the Governor. We have already been informed by the Chief Secretary that his Excellency will attend to any suggestion of ours on the subject.

We think it right to add, that doubts having been suggested as to the legal efficacy of the means adopted by the Governor for carrying the measure into effect, we carefully read the proclamations relating to the Government reserved stock and the grain duties, and are satisfied that the Government Minute of 10th January last is sufficient in law. We understand that the Government intends to dispose of the stock of grain on hand, as it can find the best opportunities of selling it to advantage. Considering the narrowness of the market, and the consequent difficulty of selling it at once without a considerable loss, we at present incline to approve entirely of this determination of the Government.

— No. 3. —

No. 3.

J. Austin, Esq. and J. C. Lewis, Esq., to Lord Glenelg, 10 March 1837.

EXTRACT of a DESPATCH from *John Austin*, Esq., and *George C. Lewis*, Esq., Commissioners of Inquiry into the Affairs of *Malta*, to Lord *Glenelg*, dated Malta, 10 March 1837.

WE have the honour of transmitting to your Lordship, by this packet, the ollowing papers:

1. A Report on the expediency of introducing into Malta a liberty of printing and publishing.
2. A Draft of an Ordinance for granting a liberty of publishing, and restraining abuses thereof.
3. A Draft of an Ordinance for granting a liberty of printing, and for subjecting the printing trade, and the printing and publishing of newspapers, to certain regulations.
4. Explanatory Notes on the Draft of the Ordinance for granting a liberty of publishing.

We propose to your Lordship, that, in case His Majesty's Government is pleased to approve of them, the drafts of the ordinances be returned to Malta as speedily as possible, and, having received the additions and corrections which may occur to us before their arrival in the island, be published without delay as ordinances of the Governor in Council.

We also propose, that in case His Majesty's Government is pleased to approve of them, the explanatory notes be returned in the like manner, and, having received the like additions and corrections, be published by the Government of the island simultaneously with or immediately after the publication of the ordinances. It appears to us, that since a law of libel will be a novelty in Malta, the grounds and purposes of the provisions in the ordinances, and also the import of the terms in which the provisions are expressed, need full explanations. Such explanations will be particularly necessary for the guidance of the judges in applying the law, and for the guidance of the inhabitants of the island concerned in printing and publishing. Proceeding from the authors of the drafts, the explanations will not be strictly authoritative; but if they be published by the authority of the Government, they will naturally be nearly equivalent to authentic interpretations.

We also propose, that, in case His Majesty's Government approve of our Report, we be authorized to have it printed at the Government press, in an Italian translation, for circulation in the island; a measure which would not be unprecedented, since the Report of the Code Commissioners was printed and circulated by the authority of the Government.

We think that the publication of the Report and notes would be followed by considerable advantages.

Report on Liberty of Printing and Publishing.

REPORT on the expediency of introducing into *Malta* a liberty of Printing and Publishing.

My Lord,

Introduction.

THE first subject which we investigated after our arrival in Malta was the expediency of the law now in force in the island, in respect to printing, and the publication

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publication of printed writings. Having examined it in all its bearings, we determined to suspend our inquiries into other subjects, and to report upon it separately as speedily as possible.

In reporting upon the subject to your Lordship, we shall consider the following topics in the following order:

I. We shall state the law, and the manner in which it has been administered, together with its origin, and the foundation upon which it rests. II. We shall afterwards point out its principal inconveniences. III. Having recommended the abolition of the existing law, and the introduction of a liberty of printing and publishing, we shall consider certain objections to this important innovation, which have either occurred or been suggested to us. IV. Having tried to obviate the principal objections to a liberty of printing and publishing, we shall advert to the various means of preventing or restraining its abuses.

Statement of law, and administration of it.

I. The existing law and practice with respect to printing and publishing may be stated in the following manner:

No one is allowed to exercise the trade of a printer, or to use a printing-press, without a licence from the Chief Secretary; and since no such licence has ever been granted to any private person, the only press in the island which supplies the public with printing is one which belongs to, and is worked at the expense of, the Government. Every writing printed and published in the island is printed by the Government press, with the previous permission of the Chief Secretary, and is published with his previous licence; and on any application by a private person for such permission and licence, the Chief Secretary is authorized to refuse them without assigning his reasons.

Although the Government has never granted to any private person a licence to use a printing-press, it has granted such a licence to the Commissariat Department, and to the Church Missionary Society. The press belonging to the Commissariat Department is under the control of the Commissary-general; and the printing of forms and documents for the use of the military establishment is the only purpose to which it is applied. The press belonging to the Church Missionary Society was established for the printing of religious tracts and school-books, to be circulated on the coasts of the Mediterranean. Its establishment was permitted by the Government on the two following conditions: first, that every writing printed by it should be previously approved of by the Chief Secretary; secondly, that no such writing should be circulated in the island without his previous permission. No precautions have been taken by the Government to secure the due observance of the second condition; but it was stated to us by Sir Frederick Hankey, the present Chief Secretary, that if any breach of the condition should come to the knowledge of the Government, the licence to use the press granted to the Missionary Society would be instantly withdrawn. Before the grant of the licence to the Church Missionary Society, similar licences, subject to conditions like those which we have stated above, were granted to an American Missionary Society, and a society of English Independents. But the presses established in consequence of these last-mentioned licences no longer exist.

As the press belonging to the Commissariat Department and the press established by the Church Missionary Society are not open to the Maltese public, it follows that the Government has reserved to itself a complete monopoly of printing.

This strict monopoly of printing is enforced by the following means: 1. According to the existing law, no trade or business can be exercised in the island without a previous licence from the Government*; and no licence to exercise the trade of printer, or to use a printing-press for any purpose, has ever been granted. 2. Presses used in the island without such previous licence have been seized by the Government.

Of the withholding of a licence to exercise the trade of printer an instance occurred in 1835. In the beginning of that year Mr. Luigi Tonna, a bookseller of the island, presented a petition to the Lieutenant-governor, praying that he might be permitted to establish a printing-office in the city of Valletta. The

* Proclamation of 24th August 1812, confirmed by a Minute of 18th June 1814, and by a Proclamation of 24th December 1825. *See* Code Rohan, Lib. 5, c. 9, s. 12.

The petitioner alleged that, if this permission were granted to him, classical works in science and literature, books of education, works of celebrated living authors rendered scarce by the want of reprints, and writings of native Maltese, now sent to foreign presses, might, instead of being imported from abroad, be printed in the island. He further stated, that such trade would produce a profit to himself, and would afford a new source of subsistence to various persons who would be employed in it. Having received from the Chief Secretary an evasive refusal to this, as well as to a subsequent application, Mr. Luigi Tonna, in April of the same year, addressed a petition to the King in Council, reciting the applications to the local Government, and the result of them, and repeating the prayer for permission to establish a printing-office. This petition was afterwards referred by your Lordship's direction to the decision of the Council of Government. The result of this reference was not communicated to the petitioner; but the permission which he prayed for has never been granted.

Of the seizure of presses there appear to have been two instances. The first occurred in 1810, when Sir Hildebrand Oakes was His Majesty's Civil Commissioner in Malta. Mr. Calvert, a British merchant, resident in Malta (now Government agent in the Grain Department), imported a printing-press for his own private use. Shortly after its arrival in the island, he received an intimation from the Government that he could not be allowed to keep it, but that the Government would purchase it from him. The press was accordingly delivered up to the Government, and transmitted to the Government printing office; and an indemnification of 955 scudi was paid to Mr. Calvert. The other instance occurred in 1827, when a small printing-press and some types, used without a licence by Alessandro Schiada, an inhabitant of Zante, resident in Malta, for printing labels of bottles, bills of lading, and other similar articles, was seized and carried away by the officers of police. Subsequently, the press, without the types, was restored to Schiada, upon application to the Chief Secretary.

The Government has reserved to itself the monopoly of printing, and has prevented the establishment of presses by private persons, not with the intention of deriving a profit from the monopoly, but for the purpose of preventing, in the most effectual manner, the publication of unlicensed writings. Inasmuch as its own press is the only press in the island to which the public can resort, the publication of printed writings, without its previous consent, is nearly impossible.

The Government censorship of writings printed in the island, as guarded by the monopoly of printing, which we have just described, has been exercised by the Chief Secretary, and, under his control, by the superintendent of the Government printing-office, with the greatest possible strictness. No writing can be printed at the Government press, unless, in the opinion of the Chief Secretary, or the person to whom he deputes the office of censor, it conforms to the following rules: 1. It must contain no censure of His Majesty's Government in Malta, or in any other of His Majesty's dominions. 2. It must contain no censure of any foreign government in amity with the Government of His Majesty. 3. It must contain no controversy or other discussion concerning religion. 4. It must contain no censure of any person in a private character or capacity.

That the first of these four rules has been most rigidly enforced, will sufficiently appear from the following case:

In May 1836, M. Giovanni di Niccolò Papaffy, a Greek broker, long resident in Malta, addressed a letter on the corn trade of the island to the president of a committee of Maltese merchants, and another on the same subject to the Chief Secretary. They contained an argumentative discussion, supported by facts, on the policy pursued by the Government, attempting to show that it was founded on erroneous principles, and led to mischievous consequences. These letters the Chief Secretary refused to print; and, though he was unable to explain to us distinctly the grounds of his refusal, we have no doubt that he refused to print them because they condemned the policy of the Government with respect to the corn trade of the island.

From a list of the works printed by the Government press since the year 1835, which we obtained from the superintendent of the Government printing-office, and which we append to our Report, it appears that the Government has not only prevented the publication of writings on what may be termed party politics, but has suppressed discussion of every description on politics, legislation,

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tion, morals, and religion. The only work in the list discussing any of these subjects, is the Report on the projects of a penal code and code of penal procedure, which was drawn up by the Commissioners appointed by the Government to prepare codes for Malta.

The contents of the Malta Government Gazette, published under the authority and at the expense of the Government, will also serve to exemplify the jealous and exclusive spirit in which the Government censorship has been invariably exercised. Its contents, which are prepared and arranged by the superintendent of the Government printing-office under the general direction of the Chief Secretary, may be described as follows: 1. Official acts and notifications of the Government. 2. Statements of local events which can be publicly noticed without embarrassment or annoyance to the Government; as, for example, a levee held by the Governor, a ball given by the garrison, the arrival of a ship infected with the plague, and so on. 3. Foreign news, selected chiefly from Galignani's Messenger. 4. Advertisements. 5. Deaths, births, and marriages, with arrivals and departures of ships and persons. Comments on the policy and conduct of the Government, or on the economical state of the island, and local occurrences, which the Government might wish to conceal, are invariably excluded from it. Reports of the proceedings of the Maltese or English courts of justice, and of the debates in the English Houses of Parliament, have rarely been admitted into it.

But although the Government has exercised its censorship in a jealous and exclusive spirit, it has honourably observed the rules which it has imposed upon others. Those who complained of the management of the Malta Government Gazette were unable to show us a single passage in which any act of the Government, or of any of the Government functionaries, was mentioned with the slightest commendation; and they were unable to show us a single passage directed against any of the persons opposed to the Government.

Inasmuch as the censorship exercised by the Government is exercised through the medium of the Government monopoly of printing, it has naturally been limited to writings printed within the island. Printed writings imported into the island are admitted without examination as to the nature of their contents; all of them, excepting newspapers, being subjected to a slight import duty of one per cent. *ad valorem*.

Origin and legality of the censorship.

The legal foundation of the censorship hitherto exercised by the Government, and of the monopoly of printing through which it has been exercised, will be best explained by a short notice of their origin.

It appears, from a letter preserved in the Government archives, that a printing-press was first introduced into the island by the Grand Master Pinto, in 1756; the Bull of the Crusade, annually issued by the Government, having, before that time, been printed in Catania. The press imported by the Grand Master Pinto was kept in a room in the palace; and, accordingly, the Code de Rohan, published in 1784, purports to be printed in Malta, "nella stamperia del Palazzo di S. A. E. per Fra Giovanni Mallio suo stampatore con licenza de Superiori." This Government press remained in the palace during the occupation of the island by the French; and they printed at it some numbers of a newspaper, entitled, "Journal de Malte," and purporting to be printed "à Malte, de l'imprimerie nationale."

It appears from these facts that a censorship was exercised by the government of the Grand Masters, and afterwards by the French Government, through a Government monopoly of printing. That a censorship was exercised by the government of the Grand Masters also appears from an article in the above-mentioned Code de Rohan, (book i. c. 38, s. 15,) which determines the manner of enforcing it, and the officers by whom it shall be enforced.

It appears from the above-mentioned letter, that the press was imported by the Grand Master Pinto, "for the advantage and convenience of the public." The censorship established by the government of the Order, in consequence of the importation of the press, was established as of course. A similar censorship had then been exercised by all or most of the other European governments, from the time of the invention of the art of printing; and had been exercised, even in England, from the time of the same invention till after the Revolution of 1688. The censorship enforced by the government of the Order was therefore exercised in pursuance of a *jus gentium*, or of a rule of law common to the European nations.

The censorship thus introduced by the government of the Grand Masters, and thus continued by the French Government, has been perpetuated by the British Government from the time of its establishment in the island down to the present day. The press imported by the Grand Master Pinto, and afterwards used by the French Government, remained in the palace, and was used by the British Government till the governorship of Sir T. Maitland.

Hence it appears, that the legality of the censorship exercised by His Majesty's Government may be justified by a well-known rule of colonial law; viz. that every institution, existing in a colony at the time of its acquisition by the Crown, continues to exist until it is abolished by His Majesty.

It may, perhaps, be argued against the legality of the existing censorship, that the censorship exercised by the government of the Order was abolished by one of the Governments intervening in the island, between the expiration of the government of the Order and the establishment of the British Government; and that, as the existing censorship was therefore not in existence when the island was acquired by the Crown, it could not have been perpetuated by the rule of colonial law. But, in the first place, no regular Government existed in the island between the expulsion of the Order and the establishment of the British rule. During the greater part of that period the French forces were confined to the military occupation of Valletta; whilst the natives of Malta, in arms against the French, would seem to have established a Government for no other purpose than the temporary and limited one of expelling the invaders. In the second place, there is no evidence whatever from which it can be inferred that any act, inconsistent with the continuance of the censorship, was done by the French authorities, or by the leaders of the Maltese insurgents. So far as an inference can be drawn from the conduct of the French authorities, it would seem that they continued the censorship which existed on their arrival in the island.

But the legality of the existing censorship will hardly admit of a doubt, although it originated with the British Government. Subject to the control of Parliament, the King in Council, or by his representative the Governor, is the sovereign legislator in Malta. The validity of unwritten law rests upon tacit significations of the sovereign legislator's will; and by permitting the exercise of the existing censorship, His Majesty has established it just as effectually as if he had created it by an express declaration of his pleasure.

According to certain dicta of some of the English judges (*see* Clark's Colonial Law, page 4, note 6), no institution contrary to "natural equity," or to "the fundamental principles of the British constitution," can either be continued in, or introduced into, a colony, by the authority of the Crown; and, admitting the validity of these dicta, the legality of the existing censorship may perhaps be doubtful. But if these dicta were valid, any act of the Sovereign, however imperative and precise, would be placed at the mercy of subordinate judges. The phrase "natural equity," or "fundamental principles of the British constitution," has no meaning generally agreed upon; and they therefore might easily accommodate the positive laws of the Sovereign to their real or pretended con ceptions of its genuine import.

The censorship exercised by the Government, and the Government monopoly of printing, have no necessary connexion; but since the censorship has been exercised through the medium of the monopoly, the former has naturally been limited (as we have already remarked) to printed writings, printed within the island. It appears, however, to us, that printed writings imported into the island are clearly within the purpose for which the censorship was established; and that in strictness they are liable to it, although they are exempted from it by the existing practice.

Being exempted practically from the operation of the censorship, they should naturally be subject to a law of libel, or a law for preventing abuses of the liberty of publication. But the only law of libel which obtains in the island of Malta is the Roman law relating to *libelli famosi*. Now this, though obtaining theoretically, has never been actually enforced; and it would probably be found, if it were actually enforced, a very ineffectual restraint on abuses of the liberty of publication.

The pure Roman law applicable to such abuses, scarcely meets the exigencies of modern civilized societies; and in most of the modern societies in which it has formed the common law of the land, it has not been fitted to meet their exigencies,

exigencies, either by authoritative writers, or by judicial decisions; since, in most of those societies, abuses of the liberty of publication have been obviated by a Government censorship.

Inconveniences of the present law.

II. Having stated the law and the manner in which it is administered, together with its origin and the foundation on which it rests, we will now point out to your Lordship's attention its principal inconveniences: of these inconveniences, some arise from the Government monopoly of printing, others, from the Government censorship.

Inconveniences of the Government monopoly of printing.

The printing work with which the public is supplied, is dearer than it would be naturally.

According to several of the witnesses who appeared before us, the high price of the work done at the Government press is generally complained of in the island; and, according to some of them, the price of this work is twice as high as that of similar work done in Sicily and Italy. We cannot pretend to pronounce on the correctness of this proportion, but we believe that the monopoly price which is charged by the Government considerably exceeds the price which would be charged by the private printer under a liberty of printing. For, in the first place, the work produced by the salaried servants of the Government is probably done less economically than it would be by the private printer; and, in the next place, the Government throws on its customers (as we shall show hereafter) a part of the expense of printing public documents.

Notwithstanding the excessive price which it charges for its work, the Government establishment is maintained (as we shall likewise show) at the expense of a constant loss to the public revenue. Deducting the cost of its types and presses, and the value of the house which it occupies, its expenditure exceeds its receipts.

Another subject of complaint, mentioned by some of the witnesses, is the delay in the execution of the work done at the Government press to the orders of private persons. The printing establishment being small, all the hands which it employs may be occupied with the Government Gazette, or with other work for the Government; and, in this event, the execution of work ordered by private persons is necessarily postponed. It was candidly stated to us by the superintendent of the Government printing-office, that the Government had occasionally refused to print, not because the writing was deemed objectionable, but because the press was already completely employed.

Inconveniences of the censorship.

In adverting to the principal inconveniences which arise from the censorship, we will consider it, in the first place, as it affects the relations between the Government and the people.

The Government, by maintaining the censorship, not only incurs the odium which the institution naturally excites, but exposes the whole of its conduct to groundless surmises and imputations. By guarding its acts from adverse criticisms, it raises a presumption in the minds of its subjects, that its acts, though innocent or laudable, will not endure investigation. If, instead of suppressing such criticisms, it had candidly submitted its acts to the deliberate judgments of the public, it would probably have avoided most or many of the misconstructions, which, in consequence of its system of concealment, the public puts upon its conduct. For example, if, in pursuance of Sir Frederick Hankey's advice, it had published an annual statement of its revenues and expenses, it would have avoided many imputations of extortion and prodigality which actually are thrown upon it with some appearance of justice.

So unhappy are the law and practice with regard to printed publications, that, whilst they subject the Government to the reproach of maintaining a censorship, and expose the whole of its conduct to groundless surmises and imputations, they give it little of the protection which a censorship would naturally afford it. Since imported printed writings are not subject to the censorship, and since, in practice, there is no law of libel, printed writings attacking the Government are imported and circulated without restriction: pamphlets, impeaching generally the system and conduct of the Government, dealing in confident assertions, and written in an inflammatory style, have accordingly been imported and circulated extensively.

Imputations thrown upon the Government, in writings thus imported, acquire an extrinsic plausibility from the existence of the censorship. It is presumed, from the existence of the censorship, that the Government is afraid of criticism; and that it therefore would suppress the writings through which the imputations are conveyed, if its own law and practice did not constrain it to permit them. And from this desire to suppress them, which is thus ascribed to the Government, it is further presumed that the imputations which they convey will not admit of satisfactory answers.

These imputations acquire an additional extrinsic plausibility, from the very spirit of fairness in which the censorship is exercised. As we have stated already, the Government submits to the restraints which it imposes upon others; neither attacking its accusers, nor defending its own conduct, through the medium of the press, which is under its absolute control. But though this forbearance does honour to the Government, it is naturally presumed, by those who are ignorant of its true cause, that the imputations remain unanswered merely because they are unanswerable.

Whilst the censorship exposes the Government to misconstruction and misrepresentation, it prevents the diffusion of much of the knowledge, and suppresses much of the discussion, which are most useful to Government and people.

The only useful information concerning the politics of the island, which can now reach the inhabitants through the medium of the press, must reach them in writings printed abroad. But these are imperfect vehicles of such information, on account of the great expense of getting them printed abroad, and the long delay which necessarily precedes the publication of them. The best vehicle of such information would be a newspaper, printed and published in the island, and not dependent on the Government. But such a newspaper is not consistent with the censorship, or, at least, with the principles on which it is exercised. The Gazette, published by the authority of the Government, is now the only newspaper tolerated in Malta.

To exemplify the mischiefs done by the censorship in suppressing political discussion, and preventing the diffusion of political knowledge, we will enumerate a few of the advantages which would arise from an independent newspaper, if it were conducted with skill and integrity. 1. It would give the Government and the public much instructive information concerning the statistics of the island, which, for want of a vehicle of the kind, are now imperfectly known. 2. It would report proceedings of courts of justice, and especially their decisions on important questions of law. To the absence of such reports, we may partly attribute the uncertainty of the law, and the ignorance of its provisions, which is prevalent in all classes. 3. It would point the attention of the Government to misconduct on the part of its subordinates, which now may escape its notice. 4. It would suggest improvements in the institutions of the island, and in the manner in which they are administered. 5. It would deter the Government from bad, and encourage it to good measures, by enlightening the Maltese public with regard to its system and conduct. 6. It would serve as a vehicle for conveying information to England concerning the conduct of the Government, and the state and interests of the island. It would thus subject the local Government to more efficient restraints from the Government at home, and to more efficient animadversion from the English public. 7. The structure and policy of the English Government, the opinions and sentiments of the English people, and the nature of the relations between England and Malta, are now understood imperfectly by the great majority of the Maltese. By furnishing its readers with political news from England, and especially with reports of debates in the Houses of Parliament, an independent newspaper would gradually diffuse in Malta correct conceptions of these important subjects.

In short, as it affects the relations between the Government and the people, the existing practice with regard to printed publications may be characterized as follows: it combines the evils of a censorship with those of a liberty of publishing, and excludes the advantages of each.

Nor is instructive information concerning the politics of Malta the only instructive information whose diffusion is hindered by the censorship.

It hinders, generally, the diffusion of useful knowledge; and it thus perpetuates amongst the natives of the island much pernicious ignorance, and many

many mischievous prejudices, which a liberty of publication would gradually, but surely, dispel.

By hindering the diffusion of information interesting to merchants and other traders, the censorship is also mischievous to the commercial interests of the island. Arrivals and departures of vessels are the only articles of mercantile intelligence contained in the Government Gazette. A price current, intituled "Supplement to the Malta Government Gazette," and printed at the expense of the Government, is published once a fortnight; but the number of copies sold falls short of 30. Now, when we consider the facilities in Malta for obtaining commercial intelligence (such, for example, as its central situation, and the frequent arrivals of ships from all quarters of the Mediterranean), we think it probable, that, if the censorship were abolished, a commercial newspaper, like those of Genoa, Leghorn, and other commercial towns, would be published in the island.

Possible substitutes for the Government monopoly of printing and censorship.

III. For the existing law and practice with regard to printing and publishing might be substituted,

1. A liberty of printing, accompanied by an extension of the present incomplete censorship to printed writings imported into the island. 2. A liberty of printing and publishing, accompanied by a law for preventing its abuses.

The first of these substitutes for the existing law and practice, is open to the following objections: 1. Considering the opinions and sentiments actually prevalent in Malta, together with those of the English public, it would now be nearly as difficult to extend the censorship, as to establish it if it had never existed. 2. The importation of printed writings, in spite of the censorship, could not be prevented entirely; and the evils produced by the present incompleteness of the censorship, would, therefore, be produced, although in a smaller degree, by the censorship as extended and completed. 3. The censorship as thus extended would produce the evils incident to a censorship generally, which we have stated above. To that statement of the evils incident to a censorship generally, many evils of the same description might be added. A Government, for example, which imposes a censorship, is responsible to foreign Governments, and to public opinion, for the contents and tendency of every writing published within its territory; and from the difficulty which he frequently finds in deciding on the character of a writing, from his natural aversion to the labour of examining it closely, and from his fear of offending his Government by the slightest appearance of laxity, the censor is inclined to exercise his office with a rigor surpassing the purpose for which it is established. These, with other evils incident to a censorship generally, were readily admitted by Mr. Harper, the superintendent of the Government printing-office, whose evidence on the expediency of the censorship was given, we are bound to say, with the greatest possible candour.

Liberty of printing and publishing recommended.

It appears to us that these objections are conclusive; and that a liberty of printing and publishing, accompanied by a law for preventing its abuses, ought to be substituted for the existing law and practice. And the principal members of the local Government, with the great majority of the clergy, lawyers, merchants, and other educated persons, concur in the opinion which we have just expressed.

Objections to it.

The five objections which we shall now state and examine, are the only considerable objections to a liberty of printing and publishing which have occurred or been suggested to us. In examining them, we expressly or tacitly refer to the drafts of two Ordinances, which we send with our Report; for the degree of consideration to which they are entitled, depends upon the degree of security given by the law against the evils which they contemplate.

First objection.

1. It may be objected, that the King's Government in the island would be exposed, by a liberty of publishing, to dangerous attacks. But dangerous attacks may now be made upon it in spite of the censorship; and, owing to the absence of an applicable law of libel, with perfect impunity. Under a liberty of publishing, the authors of such attacks would be liable to punishment; insomuch that the security of the Government would be rather increased than diminished by the change which we recommend. To this it may be added, that,

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under a liberty of publishing, all attacks on the Government might be answered with propriety and ease by its friends and supporters; for the change would release them from the silence to which they are bound by the censorship.

It appears to us that the Government would be sufficiently secured against any dangerous attack, by the provisions in the draft of a law of libel for preventing incitements to violences against it.* The Government, indeed, is so firmly established, that its stability could hardly be affected by any attack through the press; and we have inserted in the draft the provisions just referred to, not so much for the purpose of protecting the Government, as for that of saving the people from the disastrous consequences which the violences would bring upon themselves.

Second objection.

2. Another objection is, that if a liberty of printing and publishing were introduced into Malta, attacks would be made, through the Maltese press, upon foreign Governments in amity with the Government of His Majesty; and that the friendly Governments particularly exposed to such attacks, would, in apprehension of the danger, regard the change with suspicion and resentment.

To obviate the danger, we have inserted in the draft, to which we have referred, the following enactment; viz. that every such attack shall subject the offender to punishment, if it tend to disturb the commercial or other amicable relations between any of the territories of the friendly Governments and any of His Majesty's dominions. This enactment, made in analogy to the rule of the English law, would be of itself a sufficient restraint upon any of His Majesty's subjects permanently resident in the island. To which it may be added, that any such attack, by any such resident, would probably be made through a Maltese newspaper; and that the persons interested in any such newspaper would have little inducement to make it a vehicle for attacks upon foreign Governments. For (as we shall show hereafter) such a newspaper would probably fail, unless it were mainly occupied with the peculiar affairs of the island, and were therefore unlikely to circulate in foreign countries. And it would probably be excluded from the only foreign countries in which it could possibly circulate, if it attacked their Governments habitually.

It is, however, not improbable that Italian and other aliens, resident in Malta, might thence attack the friendly Governments from whose dominions they were excluded. We therefore propose, in the above-mentioned draft, that an alien shall not be permitted to work or possess a printing press without a special licence from the head of the local Government. There is nothing harsh in this enactment, since the proposed change would be made for the benefit of His Majesty's subjects, and not for the convenience of aliens transiently residing in the island. And here we may remark, that some such enactment as this, and not the continuance of the censorship, is the appropriate security against such attacks by aliens. For since such attacks would be printed for exportation, and not for circulation in Malta, the abolition of the censorship would neither facilitate nor encourage them.

Any alien offending against either of these enactments might be punished as for a breach of it, or by expulsion from the island. His expulsion would be richly merited, and would probably be approved of by the Maltese public; inasmuch as his offence would tend to embroil the Government with a foreign Power, and to endanger the commercial and other interests of the island which had given him a hospitable reception.

We think it appears from the preceding statements and arguments, that foreign Governments have little or nothing to fear from the change which we have ventured to recommend. And we think that the following considerations (which a dispassionate view of the matter can hardly fail to suggest to them) will prevent them from regarding the change with suspicion and resentment.

1. The Governments exposed particularly to the danger which we are now considering, might be attacked from the free presses of France, Switzerland, and Greece, more expeditiously and easily than from a free press in Malta. It therefore is highly improbable, that the change would induce their enemies to resort to Malta as a favourable point from which to attack them through the press.

2. Their liability to attacks from Malta (which, for the reason just assigned, is of

* Articles VIII. IX.

of itself inconsiderable) would be reduced to absolute insignificance by the various precautions against it, which we have suggested above. 3. His Majesty's Government, by adopting and enforcing these precautions, would evince its respect for the principles of international law, and for the rights and interests of foreign Governments connected with itself by alliance or amity. It would show, to the satisfaction of those Governments, that it had made the change, not with the intention of molesting them, but for the purpose of conferring a benefit on its Maltese subjects. 4. The liberty of printing and publishing which exists in France, Switzerland, and Greece, is not restrained by precautions against the danger in question, more effectual than those which we have suggested above. But the liberty of printing and publishing which exists in these various countries, has been acquiesced in by the Governments to which we have particularly alluded; and they therefore could not object, without the most manifest inconsistency, to the introduction of a similar liberty into any of His Majesty's dominions.

Another objection is, that if a liberty of printing and publishing were introduced into Malta, offence might be given through the press of the island to the religious feelings of the great majority of its inhabitants.

To obviate such offences to the religious sentiments of the Catholics, and to those of other Christians, we have inserted in the draft of a law of libel, which we send with our Report, a prohibition of every attack in the way of vituperation, ridicule, or other insult, either on the doctrines common to all Christians, or on the peculiar doctrines of any of the Christian churches. This prohibition accords with the rule to be gathered from the modern decisions of the English courts of justice; that is to say, that the Christian religion may be impugned by argument, but may not be insulted by invective or ridicule. And it gives to the religious feelings of every Christian community all the protection which they can reasonably demand, and which consists with the requisite freedom of religious discussion.

Under a liberty of printing and publishing, checked by the proposed prohibition, the Roman-catholic religion would enjoy a more ample protection than it derives at present from the Government monopoly and censorship.

At present it may be attacked in imported writings without impediment, and with perfect impunity, either by argument or by vituperation or ridicule. Under a liberty of publishing, as checked by the proposed prohibition, it would be guarded from every attack by vituperation or ridicule, either in imported writings, or in writings printed in the island.

By one of the four rules according to which the censorship is exercised, no writing containing religious discussion can now be printed and published in the island. This prohibitory rule gives to the assailants of Catholicism an unfair and invidious advantage over its defenders. In consequence of the ample funds placed at their disposal, the Protestant Missionary Societies of England and the United States can easily import attacks upon the Catholic religion, whilst, in consequence of their limited means, its advocates are nearly debarred from answering these attacks through the same circuitous and expensive channel Under a liberty of printing and publishing, its advocates could answer these attacks by writings printed in the island.

Another advantage, real or imaginary, is given to the enemies over the adherents of Catholicism, by the actual law and practice with regard to printed publications. As we have stated already, the Government has permitted missionary societies to establish printing presses. The permissions to establish these presses were granted under a condition that writings printed at them should not be published in Malta; and, though evidence to the contrary was submitted to us, we believe that the condition has been almost invariably observed. It is, however, generally believed by the Catholic clergy of the island, that attacks on their religion have been printed at these presses, and circulated amongst their flocks; and, as they cannot answer such attacks by writings printed in the island, they think that the establishment of these presses has given the assailants of their faith a surreptitious advantage over them. A liberty of printing and publishing would deprive their enemies of the supposed advantage, and would place the two parties on an indisputable footing of equality.

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Independently of the efficient security which might be given to the Catholic religion by a law of libel, there are causes in the state of the island which suffice to ensure its permanence.

The Maltese people without exception are members of the Catholic church, and for the most part are strongly attached to their faith; their church is deemed the established church of the island, though the members of other churches have complete legal protection in the public exercise of their respective modes of worship. The Maltese clergy retain the considerable endowments of which they were possessed at the establishment of the English Government. Their number is great, as compared with that of the population, there being about one secular clergyman to every 162 of the laity.

The working people, being unable to read, and being ignorant of the English and Italian languages, could hardly be shaken in their faith by printed attacks upon it. The religious instruction of children in all classes is exclusively in the hands of the Catholic clergy, and it probably would remain in their hands if a system of primary instruction for the mass of the population were introduced by the British Government; for, as the whole of the Maltese people belong to the Catholic church, no inconvenience could arise from placing their religious education under the absolute control of the Catholic clergy; and since the Government (to its great honour) has always scrupulously abstained from interfering with their faith, it would not be likely to abuse a system of instruction to the purpose of converting them from the religion of their ancestors. They likewise are prohibited, by a rule of their church, from reading heretical or other books condemned by the spiritual censor. If any such book comes into the possession of a Catholic, he is bound to deliver it, without reading it, to a priest; and instances of the strictness with which the Catholics of Malta observe this religious obligation occurred to us in the course of our examinations.

The efficiency of these various causes, in insuring the permanence of the Catholic religion, is proved by decisive experience. The zealous endeavours of the Protestant Missionaries to convert the Maltese from the Catholic faith, have been helped by the ample funds placed at their command, and by the actual law and practice with regard to printed publications. But with all their zeal, and all these extrinsic helps, their endeavours have been wholly or nearly fruitless. The attacks which they have made on the Catholic faith, in writings imported, or printed at the Missionary presses, have scarcely met with a reader amongst the native population. We were informed in the course of our examinations, that the conversions from the Catholic religion, since the establishment of the British Government, have been extremely few (not more than five or six); and that these conversions were not to be attributed to the dissemination of Protestant writings. It is, we believe, the general opinion of the Maltese clergy and laity, that under a liberty of printing and publishing, as checked by the proposed prohibition, their religion would enjoy a more ample protection than it derives at present from the Government monopoly and censorship.

At the time of our arrival in the island, the clergy contemplated the abolition of the censorship with some alarm or anxiety. Not distinguishing accurately the temporal and spiritual censorships, they feared that the abolition of the former would involve the abolition of the latter; and, assuming that the former would be abolished, they wished to see their religion protected by the law of libel from attacks by argument as well as from insults. That these were their opinions and feelings with regard to the liberty of printing and publishing, appears from the following facts:

About the time of our arrival, a meeting of the secular clergy, attended by more than 250 persons, and including most of the parish priests, elected a committee of eight from their own body, to consider the affairs of their order. This committee of eight approved of the introduction of a liberty of printing and publishing, but qualified their approbation by the following resolution:—"That every printed attack, direct or indirect, upon the Catholic, Apostolic, Roman religion, as determined by the sacred canons of the church, ought to be prohibited under the severest penalties."

We

We explained to the clergy, who appeared before us as witnesses, that the temporal and spiritual censorships had no connexion, and that the abolition of the former would not involve the abolition of the latter. We also explained to them, that, owing to the opinions of Englishmen with regard to the liberty of religious discussion, no English Government would grant to any religion the protection from argumentative attacks which some of them desired for their own. In consequence of these explanations, a resolution, conceived in the following terms, was signed in a few days by 314 secular clergymen:

"We, the undersigned, are perfectly unanimous in the opinion, that since the English have been in Malta there has been no hindrance to the introduction of books containing attacks, insults, ridicule, and indecent offences against the Catholic religion; that their sale and circulation have not been prohibited; and that the introducers, sellers, and circulators of them, have never been punished.

"We are moreover unanimous in declaring that several presses in Malta have been employed in the printing of books of this nature; and that those who printed, sold, and circulated them, were not punished.

"In consequence of which, we also agree in the opinion, that if, in Malta, the liberty of the press were granted by the Government, or, to express ourselves more clearly, if the existing prohibition maintained by the local Government were abolished, and this grant were accompanied by a law, that whoever indecently offended or insulted our dominant religion with books or writings should be punished, this last system would be far preferable to the first, and much more useful and advantageous to the Roman-catholic religion.

"At the same time, it is also our unanimous opinion, that Catholic Christians will not, by the abolition of the civil censorship by His Majesty's Government, be dispensed from the spiritual censorship imposed upon them by the canon laws; and in this sense must be understood any opinion heretofore expressed by us, or any of us. 17 November 1836."

We are sure that most of the clergy would prefer the proposed prohibition to the actual law and practice with regard to printed publications. We think that many of the same respectable order approve of the degree of security which the prohibition would give to their church, and are far from desiring to see it protected by law from purely argumentative attacks. It is, we believe, the conviction of the instructed and enlightened clergy, that no religion whatever ought to be protected by law from sincere and decorous examination; that such a protection to any religion whatever would naturally raise a presumption against the soundness of its doctrines; and that such a protection, in the nineteenth century, to the Catholic religion in Malta, would expose the people of Malta to the ridicule of civilized Europe. It must, indeed, be manifest to the observing members of the order, that every attempt in future to stifle inquiry and discussion will redound to the disgrace of its authors; and that the clergy will lose their influence over the minds of the laity, if they labour to stop the advancement or prevent the diffusion of knowledge.

Before we proceed to the next objection, we will briefly advert to a topic closely connected with the objection which we have just examined.

In considering the means of obviating offences to the feelings of Catholics and other Christians, we examined the expediency of introducing a censorship, limited to printed writings concerning religion; but such a limited censorship is open to the following objection, and also to a multitude of others which we think it needless to explain: If such a limited censorship really accomplished its purpose, it would necessarily extend to writings on all subjects; since any writing may concern religion, whether it treat professedly of religious topics, or be apparently occupied with topics of other descriptions; consequently, all the cogent arguments which may be urged against a general censorship, may also be urged against a censorship limited to writings concerning religion.

Fourth objection.

4. It may further be objected to the introduction into Malta of a liberty of printing and publishing, that private persons, and persons in public stations, would

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would be open to attacks, through the press of the island, in their private characters or capacities.

To obviate the evil, we have inserted in our draft of a law of libel enactments to the following effect; viz. that any printed and published censure of any person in a private capacity shall subject the publisher to legal punishment; and that the truth of the censure (supposing it capable of proof) shall not be admitted as a defence, or even as an extenuation.

In the explanations of our draft of an ordinance for restraining abuses of the liberty of publishing, we have given our reasons for this undistinguishing prohibition of attacks upon persons in private capacities. We would merely remark in our Report, that many positive systems of criminal law contain a similar prohibition; and that the inhabitants of the island, of every class and description, desire the complete protection to private character which it is calculated to afford against the excesses of the press.

Fifth objection.

5. Another objection is, that if a liberty of printing and publishing were introduced into Malta, dangerous disclosures concerning its military defences might be made through the press of the island.

But plans of the defences were probably taken before the island came into the possession of the British; nor could any liberty of publishing materially add to the facilities with which such disclosures may be made in spite of the Government censorship. Valletta being an inhabited town, and containing a large population, all its approaches and defences are necessarily open to the public, and are crossed in every direction by frequented roads and paths. Accordingly, any endeavour to prevent a survey of the defences would manifestly be useless; and no precautions to prevent their inspection by foreigners have ever been taken by the Government.

Means of preventing or restraining the abuses of the liberty of printing and publishing.

IV. Having tried to obviate the principal objections to a liberty of printing and publishing, we proceed to the various means of preventing or restraining its abuses.

Legal provisions against them.

We send to your Lordship, with our present Report, drafts of two ordinances for preventing or restraining these abuses, and also explanations of the provisions which the two ordinances contain.

Subsidiary means for preventing or restraining them.

But besides the legal provisions which may be made against these abuses, subsidiary means may be adopted for preventing or restraining such of them as would most probably arise.

We preface our explanation of these subsidiary means, and of the measures to be taken in order to the adoption of them, with a statement of the nature and administration of the Government printing establishment.

Statement of the nature and administration of the Government printing establishment.

The superintendent and manager of the Government printing establishment is also editor of the Government Gazette. In each of the two capacities, he is in the department and under the immediate control of the Chief Secretary. For his services in the two capacities he receives a salary of 257 *l.* 3 *s.* a year.

In 1835, the cost of the printing done for the Government (including the printing of the Gazette) and of the printing done for private persons, was 893 *l.* 9 *s.* 7½ *d.* The sum of 790 *l.* 4 *s.* 11 *d.*, part of the said sum of 893 *l.* 9 *s.* 7½ *d.*, was expended for the salaries of the superintendent, overseer, compositors, pressmen, and messenger, and for printing ink and other petty expenses. The sum of 103 *l.* 4 *s.* 8½ *d.*, the residue of the said sum of 893 *l.* 9 *s.* 7½ *d.*, was expended in paper, translations, and newspapers, paid for on account of the Gazette.

In the same year the receipts of the establishment amounted to 683 *l.* 13 *s.* 7 *d.* Of this sum, 354 *l.* 0 *s.* 10 *d.* was derived from subscriptions to and advertisements inserted in the Government Gazette, and 329 *l.* 12 *s.* 9 *d.* was derived from printing done for private persons.

It appears from a comparison of these two statements, that in 1835 the actual cost of the printing done for the Government (including the printing done for it on account of the Gazette) was 209 *l.* 16 *s.* 0 ½ *d.*

Now, according to an estimate of Mr. Harper, the Government lost by the Gazette 144 *l.* 6 *s.* 4 *d.*, whence it follows that the cost of the printing done for the Government (exclusive of the printing done for it on account of the Gazette) was 65 *l.* 9 *s.* 8 ½ *d.*

But, according to another estimate of Mr. Harper, the printing work done for the Government (exclusive of the printing done for it on account of the Gazette) might be done for 200 *l.* a year, or thereabout, in case the monopoly were abolished, and the work were done by a private printer.

Deducting 65 *l.* 9 *s.* 8 ½ *d.* from 200 *l.*, it follows that the Government in 1835 derived from the printing done for private persons a monopoly profit of 134 *l.* 10 *s.* 3 ½ *d.*; consequently it levied a tax of 134 *l.* 10 *s.* 3 ½ *d.*, and raised the price of printing done for private persons to that extent above its natural price.

These statements and inferences are not perfectly correct; for to the above-mentioned sum of 893 *l.* 9 *s.* 7 ½ *d.* must be added the annual interest of the money paid for printing-presses, types, &c., with the annual value of the rooms which serve for a printing-office, and for the residence of the superintendent.

Having stated the nature and administration of the Government printing establishment, we will explain the subsidiary means which we have mentioned above, together with the measures to be taken in order to the adoption of them.

Explanation of the above-mentioned subsidiary means, and of the measures to be taken in order to the adoption of them.

Assuming that the monopoly and censorship will be abolished, and that a liberty of printing and publishing will be thereby introduced, we submit to your Lordship the six following recommendations, with the reasons upon which they are founded.

1. We recommend that immediately after the extinguishment of the Government monopoly, and the establishment of a printing-press by private persons, the whole of the Government printing establishment, with the limitation mentioned in the fifth recommendation, shall be abolished.

First Recommendation.

The maintenance and convenient exercise of the monopoly of printing are the only justifiable reasons for maintaining the printing-office; for if the monopoly were abolished, the Government work done at the printing-office might probably be done by the means suggested in the third and fourth recommendations less expensively than it is done by that establishment.

2. We recommend that, immediately after the abolition of the monopoly and censorship, the Government Gazette shall be discontinued.

Second Recommendation.

Consistently with the censorship, as actually exercised, no private person could have published a newspaper. During the censorship, therefore, no newspaper would have been published in Malta if the Government had not published one. But after the abolition of the censorship this reason will cease.

We have stated the deficiencies of the Gazette, and the loss to the Government at which it is maintained. These deficiencies and this loss are chiefly attributable to the censorship; but since the Gazette belongs to the Government, and the editor is paid by salary, there are none of the inducements to improve it and extend its circulation, which naturally act upon the proprietors of a newspaper whose remuneration is derived exclusively from the sale of their journal. It therefore is not probable that the proceeds from the sale of the Gazette will ever cover the cost at which it is maintained by the Government.

If the Government continued to publish a gazette, its advertisements and official acts would of course be inserted in it, which would not consist with our third recommendation, or the reasons upon which it is founded.

3. All or most of the Government advertisements and the Government proclamations and other official acts have hitherto been published in the Government Gazette; but if a liberty of printing and publishing shall be introduced, a newspaper will probably be established by private persons. And we recommend that all the Government advertisements and Government official acts

Third Recommendation.

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which can be published conveniently in a newspaper, shall be published in the newspaper which may be so established, at the lowest prices for which the proprietors of such newspaper will contract with the Government to publish them, but that the publication of such advertisements and acts shall be withdrawn from the proprietors of such newspaper, if they conduct it in the manner and spirit to which we shall advert hereafter.

We postpone our principal reasons for this recommendation to the concluding part of our Report.

We may however, remark, in the present part of it, that the official acts of the Government are inserted in the volumes of proclamations, which it publishes from time to time, and that, previously to its insertion and publication in one of these volumes, each official act is published on a separate leaf, and also in the Government Gazette. The publication on the separate leaf is for the most part needless; for, generally speaking, the official act could be published conveniently in a newspaper, and it would receive from its publication in the newspaper more publicity than it would receive from a publication in the other form. If indeed it should need publication before the appearance of the forthcoming number of the newspaper, it would be necessary to publish it on a separate leaf previously to its publication in the journal.

Fourth Recommendation.

4. We recommend that, until a newspaper be so established, all the Government advertisements and Government official acts which could be published conveniently in a newspaper (if a newspaper existed) shall be published in the manner best calculated to give them the requisite publicity; and that they shall be printed at one of the presses which may be established by private persons, at the lowest prices for which the proprietors of such press will contract with the Government to print them.

Fifth Recommendation.

5. We recommend that all the Government official acts which could not be published conveniently in a newspaper (although a newspaper existed) shall be printed and published in the manner mentioned in the fourth recommendation.

If any confidential or other Government paper cannot be printed with propriety at a private press, it may be printed at the press belonging to the Commissariat Department, or with the types and presses to be reserved by the Government, in pursuance of the sixth recommendation.

Sixth Recommendation.

6. If, in pursuance of the first recommendation, the Government printing establishment shall be abolished, the services of the superintendent and of the other persons employed in it will be no longer required. But we recommend that the types and presses, with their appurtenances, shall not be immediately sold or otherwise disposed of.

We have made this last recommendation, because the Government, notwithstanding the abolition of the monopoly, might be forced to print its advertisements and acts at a press of its own. The working of the press or presses established by private persons might be discontinued altogether, or at least might be suspended occasionally. If only a single press were established by private persons, the proprietors might demand exorbitant prices from the Government, or the printing which they did for the Government might be done in a negligent and dilatory manner.

Principal reasons for the third Recommendation.

Having submitted to your Lordship the six foregoing recommendations, we will now assign those reasons for the third recommendation which we postponed to the concluding part of our Report.

It is desirable that a newspaper published by private persons, and occupied with matters of general interest, should be established and maintained. Now, we think it probable (as we have already stated) that the Price Current, published as a supplement to the Government Gazette, might, with additions and improvements, support itself as an organ of commercial intelligence. But we are not satisfied by the evidence before us that such a newspaper as we have just described could be supported at present, or till after some years from the abolition of the censorship, unless the Government assisted it by adopting our third recommendation.

The Government Gazette is published once a week, at 3*d.*; and in November 1836 its weekly sale amounted to 356 copies. According to Mr. Harper's estimate, 101 of these were sold to Englishmen, and 255 to Maltese and foreigners; 219 were

219 were sold for the use of the island, and 137 for that of foreign countries. Besides the 356 copies which were sold, 115 were given to various persons, most of whom are connected with the Government. During the last ten years the number of copies sold has been nearly stationary.

According to an estimate of Mr. Harper, (who has had opportunities of forming a correct opinion,) a newspaper published in Malta by private persons would barely pay its expenses by a sale of 500 copies; and (assuming his opinion to be correct) its sale must exceed considerably that of the Gazette before it could yield its proprietors the ordinary profit on their capital. But there are reasons for fearing, that till after some years from the abolition of the censorship, the sale of such a newspaper would not exceed considerably the actual sale of the Gazette, although it were conducted with more than ordinary ability.

Some of the persons now supplied gratuitously with copies of the Gazette would undoubtedly purchase the newspaper; but the number of such purchasers would be small; probably it would not exceed 50.

In the country parts of the island, the purchasers of the newspaper would not considerably exceed, for many years to come, the purchasers of the Gazette. In the casals (or parishes lying out of the cities) the number of persons able to read, and understanding any language but Maltese, is very small. It was stated to us at a recent examination into the condition of the poor, that in casal Musta, not more than 50 of its 3,734 inhabitants can read; and most of the inhabitants of the casals who are able to read (such as the priests, notaries, and shopkeepers,) could not easily incur the expense of taking in a newspaper.

In the cities these obstacles to the sale of the newspaper would not be so great as in the casals. But the upper and middle classes of Valletta would be disinclined from taking in the newspaper, by their generally frugal habits and their opportunities of reading newspapers in places of public resort.

Owing to the present dissatisfaction with the system and conduct of the Government, there is now an extraordinary demand for information and discussion concerning the politics of the island; and this, so long as it lasts, would undoubtedly favour the sale of the newspaper. But this dissatisfaction, it is to be hoped, will gradually subside; and for the reasons already given, and others which might be given, we believe that its sale in the island would not exceed considerably the home sale of the Gazette till after some years from the abolition of the censorship. That its foreign sale would never exceed considerably the foreign sale of the Gazette, we are inclined to believe by the following considerations, and by others which it is needless to produce.

It would probably be excluded from Italy and Sicily; being written in Italian, or in Italian and English, it would not be intelligible in France or Spain; and in Greece and the Levant, the demand for newspapers is already supplied by the journals published at Athens, and by the Journal de Smyrne and Moniteur Ottoman. To which it may be added, that if it obtained a considerable circulation in any of those various countries, it would obtain it as an organ of commercial, and not of political or other intelligence; for the political and other news of general interest which any of its numbers might convey to those countries would have previously reached them through journals of their own, or other foreign newspapers; and their inhabitants would not be interested by any of its details and discussions about matters peculiarly interesting to the inhabitants of Malta. To the inhabitants therefore of those countries all its contents, excepting its commercial intelligence, would be valueless; and if its proprietors and editor enlarged its foreign sale by adapting it to the demand in the foreign markets, they would turn it into an organ of exclusively commercial intelligence, and limit its home circulation to the merchants and traders of the island.

We confine the foregoing remarks, showing that the sale of the newspaper would probably not support it, to its probable sale during a few years after the abolition of the censorship. The censorship, as it has been exercised, has not only been inconsistent with the existence of such a newspaper, but has suppressed the taste for political, and even for general information, which would naturally have arisen in the island under a British Government. If, however, it could be supported during a few years after the abolition of the censorship, such a newspaper might foster the growth of this taste and create a market for itself which would

would be sufficient to maintain it. But we fear that it could not be supported through that period of trial, if the profits of its proprietors were derived exclusively from the custom of private persons; and we have advised that the Government should assist it by adopting our third recommendation, in order that an efficient organ for the diffusion of useful knowledge may be insured to the inhabitants of the island.

Nor could the insuring to the inhabitants of the island an efficient organ for the diffusion of useful knowledge be the only advantage which would ensue from the adoption of our third recommendation: it is from a newspaper published by private persons that abuses of the liberty of publishing would most probably arise. The adoption, therefore, of our third recommendation would be a means of restraining those abuses, which, though subsidiary to the legal provisions against them, might be nearly or quite as effectual; for if the proprietors of the newspaper offended against those provisions, they would not only expose themselves to legal punishment, but might also be deprived of the assistance which the Government would afford them by publishing in their journal its advertisements and official acts.

We are far from advising that the Government should deprive them of this assistance, merely on account of their publishing in their newspaper statements or reasonings condemnatory of its system or conduct for: if they were not inconsistent with the purposes of the law of libel, and were made in a spirit of discriminating and impartial censure, such statements or reasonings might be salutary to the Government itself, as well as advantageous to its subjects. The proprietors, indeed, might force upon the Government a moral obligation to withdraw its assistance from them, since they might conduct their newspaper in a manner and spirit, which, in the opinion of the impartial public, endangered the interests of the island. They might, for example, conduct it in a spirit inconsistent with the provisions or purposes of the law of libel, or in a spirit of undistinguishing and disingenuous opposition to the system and conduct of the Government.

It may perhaps be objected to the adoption of our third recommendation, that it might be considered an attempt on the part of the Government to influence the newspaper unduly; and to obviate this objection, we would advise that the reasons of the Government for giving its support to the newspaper should be stated frankly to the public.

It appears to us, that though the proprietors would be influenced, they would not be influenced unduly, by the assistance which they derived from the Government. For in all their statements and comments concerning its system or conduct, they would be checked by the impending judgments of the independent public of the island; judgments which would probably be discriminating and just, if the public were frankly informed (as we have advised that it should be) of the reasons which had determined the Government to afford its support to the newspaper. The support of the Government, however important, would be less important to the proprietors than that of the independent public; and if their journal were deemed by the latter a servile instrument of the former, it would surely be abandoned by the great majority of its subscribers, and might be supplanted by a journal established in opposition to it.

We have, &c.

(signed) *John Austin.*
George Cornewall Lewis.

APPENDIX to REPORT on the Expediency of introducing into Malta a Liberty of Printing and Publishing.

Date.	TITLE OF THE WORK.	Number Printed.	OBSERVATIONS.
1825	- - A History of Wonderful Animals.	- -	- - this work was printed at the expense of a few individuals, with the view of encouraging the study of the English language, but not finding a sale, was presented by them to the Normal schools.
1827	- - Floræ Melitensis Thesaurus, or an Enumeration of the Plants of the Islands of Malta and Gozo. By Dr. Zerafa. Part I.	200	- - a learned and elaborate work by the Professor of Botany in the University, which has acquired him a character in Italy, and is inquired for by all scientific visitors to the island, but which did not reimburse its expenses to the author.
1829	- - Materia Hieroglyphica. By J. G. Wilkinson.	100	- - printed at the expense of the author, and lately spoken very highly of in the English reviews of his works.
1827	The Mediterranean Register -	250	- - a periodical literary publication, at first paid for by the editor, Mr. E. D. Baynes. It admitted English and Italian communications, but not meeting with encouragement, although the Government abated half the expense of printing, it was discontinued at the end of the year, with loss to Mr. Baynes.
1830	- - An Historical Guide of Malta, in English and Italian. By Gius. Pericciuoli, of Sienna.	500	- - for the first sheets of this work the author paid the expenses of printing, but not meeting with the number of subscribers he expected, the charge of printing was abated for the latter part of the work, notwithstanding which he incurred a loss, and left the island in poverty, the sale of his book being very slow.
	Lessons for the Military Schools	150	- - printed without charge, upon the application of the chaplain to the forces.
1831	- - Floræ Melitensis Thesaurus, Part II. (*see* above.)	160	- - in consideration of the loss which the author incurred in the publication of the first part of this work, and wishing to encourage its scientific utility, the Government ordered it to be printed without any charge.
1831	- - Vocabulary in English and Italian (2 parts).	600	- - printed gratis, by order of Government, for the use of the University and the Normal schools, and since adopted in several private schools, the proceeds of the sale being in favour of the latter establishment.
	An Historical Catechism on the most important subjects relating to the Islands of Malta and Gozo, for the instruction of children, in English and Italian. By G. A. Micallef.	750	- - the first sheets of this work were paid for by Mr. Micallef, but failing in funds, the Government ordered an abatement to be made in his favour of half the established charge.
	Catalogue of the Books in the Garrison Library, (between 3,000 and 4,000 volumes.)	250	- - this catalogue being for the purpose of sale to the subscribers to the library, was duly paid for.
1832	- - Catalogue of Books for Circulation, in the Government Library, (about 10,000.)	250	- - there having been no catalogue of this library published since 1804, the present edition was printed by order of Government without charge, for the convenience of the public, and is sold for the benefit of the funds of the library at a low price.
	The first Rules of Arithmetic, for the use of the Regimental Schools.	250	- - printed without charge, upon the application of the military chaplain.
1832	- - Dr. Butler's Catechism, for the use of the British Roman-catholics in Malta.	750	- - this work was undertaken by the Catholic military chaplain, who was allowed to withdraw a part of the edition for sale, upon paying a portion of the expenses of printing. But he left the island without paying the balance, and they have since been sold to reimburse the office.

(*continued*)

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Date.	TITLE OF THE WORK.	Number Printed.	OBSERVATIONS.
1832	- - The Mediterranean Cambist, containing the Monies, Weights, and Measures of the Ports of the Mediterranean and the Levant. By C. Vere, Accountant. (In 3 parts.)	500	- - these two books contain intricate tables of monies, weights, and measures, and calculations of exchanges. The author was encouraged to undertake the work, by the commercial and trading classes; but after the first part was published, the extent of the sale and subscriptions did not come up to his expectations. The Government, therefore, to assist the
1832	The same work in Italian -	500	work, which was represented as very useful, abated half the charge of printing, and allowed him other facilities, such as the delivery of sheets without payment. Notwithstanding, however, the sacrifices made by the Government, and the exertions and industry of the author, the speculation, according to his own account, ruined him. He left the island as a pauper.
	Fables in English, with an Interlinear Translation in Italian, for the use of the Normal Schools.	600	- - like the Vocabulary that was printed in 1831, these two works were printed at the expense of Government. They have met with general approval, and are also sold for the benefit of the funds of the Normal schools. The number, however small, (600) will not be exhausted for some years, and as a speculation, it would have failed, had the expense of printing been paid to the Government.
	The same work in English only.		
1834	- - A Narrative of the Volcanic Eruption which appeared in the Mediterranean in the Summer of 1831.	500	- - this account of an interesting event was put together by the same individual that published the Historical Guide in 1830. He paid the expenses of it and shortly afterwards left the island in very reduced circumstances.
1834	- - Gli Statuti del Distintissimo Ordine di San Michele e San Giorgio. - -		- - a translation of the Statutes, printed for the Order of St. Michael and St. George, without charge.
	Lessons for the Military Schools.	200	- - printed, as before, without charge, upon the application of the chaplain to the forces.
1835	- - A Catalogue of Books in the Garrison Library, (about 5,000 volumes.) - -		- - a new edition of that printed in 1831, paid for by the library.
	L'ultimo Periodo della Storia di Malta, sotto il Governo dell' Ordine Gerosolmitano ovvero Frammento della Storia di Malta, &c. Del Canonico Fortunato Panzavecchia.	750	- - this volume was printed at the expense of the author, who advertised for subscribers, at 7 *s.* each, but having distributed it liberally amongst his friends, the sale was very trifling, and the greater part of the edition still remains on his hands.
	Coronelle, or Psalms for the People, in Maltese Poetry, printed under the sanction of the Bishop's Vicar-General. By Don Tomaso Ludovico Mifsud.	500 to 750	- - these are small religious tracts, printed at the expense of the author, assisted by other individuals, for the use of the people.
1836	- - Giornale della presa di Malta e Gozo dalla Republica Francese, e della susseguente Rivoluzione della Campagna. Del Barone Azopardi. - -		- - this work contains many interesting documents relating to the possession of Malta by the French Republic, and the patriotic struggle of the Maltese people against the French garrison. The expenses were paid by the author, and it found an immediate sale, at half a dollar each copy.
	Leggi Penali, Leggi di Organizzazione e procedura penale, Rapporto sui suddetti Progetti.	400	- - these new codes of laws were published at the expense of the Government, and gratuitously distributed to the authorities and departments, and to the practising members of the Maltese bar, according to the Government Minute of the 21st July 1836; 131 copies have also been sold at the low price of 8 *d.* each, the object being to encourage their wide circulation.
	Poesie Estemporanee. Del Dr. Giustiniani da Imola.	250	- - a small collection of extempore verses, delivered by the author, as an improvisatore, in the public theatre, and now on sale.
	Memoir on the Finances of Malta, under the Government of the Order of St. John of Jerusalem, during the last years of its dominion, and as compared with those of the present time. By W. H. Thornton, Auditor-General.	300	- - this financial statement was printed without any charge to the author, and is now on sale at the Government printing-office, at 2 *s.* 6 *d.* each copy, the proceeds being brought to account as a receipt in the printing-office.

PERIODICAL PUBLICATIONS.

The Malta Government Gazette is published weekly. Besides an abstract of English and foreign news, it is the official vehicle for publishing the acts of the Government, advertisements of the courts, public sales, &c.; other matters of public and private interest are admitted in the shape of advertisements, upon the payment of fixed rates; it contains also a register of the arrivals and departures of vessels and passengers. It is, however, an expense of the Government, the encouragement it receives from the public being very slender. It is sold for the low price of 3*d.*, but its sale seldom exceeds 350 copies, more than a third of which are sent abroad.

A Price Current, published twice a month, which formerly rendered a revenue to the Government, but, in consequence of the depression of commerce, has been printed free of expense to the proprietor, Mr. W. Stevens, for the last four or five years. The sale of them varies from 40 to 60 of each number.

An Account of Weekly Sales of Merchandize, in English and Italian, for the information and convenience of merchants, traders, &c. The demand for this publication is about 100 copies weekly, for which a small sum is paid by the proprietor, by decree of Government.

An Almanack, in Italian, published annually, adapted to the religion and usages of the island, the printing of which is regularly paid for by the proprietor; 1,000 copies.

Ordo Divini Officii; or, a Calendar of the Rites of the Church; published annually, and paid for by the proprietor; 600 or 700 copies.

Volumes of the Proclamations, Minutes, and other official Notices, published by the Government of Malta and its dependencies, in periods of from two to four years.

Books of the Operas, as performed in the Theatre, are printed during the season. The demand is generally from 100 to 120 copies. They are paid for by the box-office-keeper, at the rate of 6*d.* each, and by him retailed to the public.

Government Printing-office, Malta,
12 November 1836. (signed) *Charles Harper.*

STATEMENT, No. 1.

General Expenditure of the Government Printing-office in the Year 1835.

	£.	s.	d.	£.	s.	d.
Salaries:						
Superintendent and editor of the Gazette	257	3	–			
Overseer	69	–	–			
Compositors; viz. 4, at from 3*l.* to 3*l.* 17*s.* 6*d.* per mensem, and two lads, at lower rates	218	2	8			
Five pressmen and a messenger, at 3*l.* per mensem	216	–	–			
				760	5	8
Cost of printing ink				9	–	–
Contingent petty expenses				20	19	3
Total Expenditure £.				790	4	11

N.B. The business of the printing-office being as nearly as possible equally divided between the labour bestowed upon the Gazette on the one hand, and various miscellaneous work on the other, the above sum of 790*l.* 4*s.* 11*d.* will be divided in equal parts, as a foundation for the following Statements:

STATEMENT, No. 2.

Expenditure and Receipt of the Government Gazette in the Year 1835, considered separately.

	£.	s.	d.	£.	s.	d.
Expense of printing, as explained in the foregoing Statement, being a portion of the actual expenses of the printing-office, £.	395	2	5½			
Translator	46	6	–			
Cost of paper for printing	47	10	–			
— for writing and for proofs	2	14	–			
Expense of newspapers	6	14	8½			
				498	7	2
Monies received for subscriptions (350 upon an average) and for the insertion of advertisements				354	–	10
Uncovered Expenditure £.				144	6	4

N.B. Two hundred and thirty-one more subscribers, at 12*s.* 6*d.* each, in 1835, would have given an additional receipt (to cover this deficiency) of 144*l.* 7*s.* 6*d.*

No. 3.
Report on Liberty of Printing and Publishing.

STATEMENT, No. 3.

Expenditure and Receipt of the Government Printing-office, exclusive o the Gazette, in the Year 1835.

	£.	s.	d.
Expense of that portion of the establishment employed in miscellaneous work, whether for the Government or for individuals, as explained in Statement, No. 1 - - - - - - - - - - -	395	2	5½
Monies received for work done for individuals - - - - -	329	12	9
Uncovered Expenditure - - - £.	65	9	8½

Government Printing-office, Malta,
9 November 1836.

(signed) *Charles Harper.*

— No. 4. —

No. 4.
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B., 27 Nov. 1837.

EXTRACT of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K. C. B., dated Downing-street, 27 November 1837.

YOU are already aware that the Report of His Majesty's Commissioners at Malta, respecting the freedom of the press in that island, has for a considerable time occupied the serious attention of His Majesty's Government.

It is unnecessary for me to enter into a particular statement of the causes which have hitherto prevented me from announcing their final decision on this question. It is sufficient to observe that the delay has been unavoidable, and that it has in no degree arisen from indifference to the importance of the subject, or to the force of the arguments with which the Commissioners have advocated an extensive alteration of the law of Malta respecting the publication of printed writings. The facts and the reasoning contained in their Report strongly confirm the general impressions which, with a comparatively imperfect knowledge of the state of the island, I entertained when this question first engaged my attention.

In the consideration of this subject, the peculiar circumstances in which this island is placed, in consequence of its geographical position, and the necessity of maintaining in it a strong military force, have not been overlooked by His Majesty's Government; but it appears to them that, while the concession in question is calculated to instruct the minds and raise the character of the people of Malta, no serious apprehension ought to be entertained that it will, in any degree, injuriously affect those important interests which render Malta so valuable a portion of the British empire.

At the same time, however, His Majesty's Government think it essential that, in the first instance, any law of this nature should be of limited duration. Experience alone can prove the actual result of its operation, and at all events, some revision of its details may probably become necessary at no distant period.

With this single modification, I am happy in being now able to convey to you the assent of Her Majesty's Government to the principle and outline of the plan recommended by the Commissioners. The details ought to undergo careful and deliberate revision before they are finally embodied in a law. But this is a task which may safely be confided to yourself and the Council, aided by such further suggestions from the Commissioners as they may desire to offer, with a view to secure the successful operation of the new law.

You will communicate this despatch to the Commissioners, and you will place in their hands the enclosed drafts of two ordinances originally prepared by them, and a paper of explanatory notes, which, in compliance with their request, I return to them, in order that the drafts may receive such additions

and

No. 4
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B., 27 Nov. 1837.

and corrections as may be requisite. After your communications with the Commissioners on this subject, you will propose, for the adoption of the Council, a law or laws, founded on the recommendation contained in their Report, "on the expediency of introducing into Malta a liberty of printing and publishing," limited, however, in the first instance, in duration, to the term of three years.

—No. 5.—

No. 5.
J. Austin, Esq. and G. C. Lewis, Esq. to Lord Glenelg, 1 April 1837.

Extract of a DESPATCH from *John Austin*, Esq. and *G. C. Lewis*, Esq., Commissioners of Inquiry into the Affairs of *Malta*, to Lord *Glenelg*; dated *Valletta*, 1st April 1837.

We have the honour to enclose a copy of a letter addressed by us to Sir Frederick Hankey, on the 30th March. In this letter we have suggested a plan for disposing of the rest of the Government stock of wheat, with a plan for transferring the collection of the import duties on grain to the department of the Customs. We have also recommended the abolition of the small additional duties now payable on grain imported in foreign vessels. As the reasons for these recommendations are fully stated in the letter itself, we need not trouble your Lordship with a repetition of them. We have this day received a letter from Sir Frederick Hankey, in which he informs us that our recommendations will be immediately carried into effect.

Your Lordship will perceive, from our letter to Sir Frederick Hankey, that we have recommended to the local Government the adoption of measures by which the entire Government stock of wheat will be disposed of in about three or four months from the present time; and we now recommend to your Lordship, that, so soon as the stock shall have been so disposed of, the whole of the Grain Department, including the offices of superintendent and of Government agent and broker, be abolished. Your Lordship will further perceive, from the same letter, that we have recommended that the inferior officers of the Grain Department, now employed in collecting the import duties, be forthwith placed under the orders of the collector of Customs. After the experience of a few weeks, it will be possible to determine how many of them need be kept permanently upon the establishment of the Customs.

We are now engaged in considering the expediency of substituting a fixed duty on imported grain for the present varying duty, and also in considering the expediency of simplifying and otherwise modifying the whole of the existing custom duties. We had originally determined to reserve our recommendations on these subjects to our general Report; we see, however, some advantages in reporting on them specially. If we should decide to adopt the latter course, we shall take care to recommend no alterations which may have the effect of diminishing the actual amount of the revenue; since it is obvious that no diminution can be safely made in the actual amount of the revenue, until it be clearly ascertained that the expenditure can be proportionably diminished.

Sir, Valletta, 30th March 1837.

Our Secretary stated to you, in a letter of 20th January last, that we had received from Lord Glenelg, instructions to report on the manner in which the resolution to discontinue the interference of the Government with the corn trade could be most effectually carried into execution. It has appeared to us, that the most convenient course which we could adopt, in acting upon Lord Glenelg's instructions, would be, first, to recommend to the consideration of the Governor those changes which could be made by the local Government; and afterwards, to report to Lord Glenelg the communication made by us to his Excellency,

No. 5.

J. Austin, Esq. and G. C. Lewis, Esq. to Lord Glenelg, 1 April 1837.

Excellency, and the further measures which ought, in our opinion, to be taken, with the express concurrence and authority of the Secretary of State.

We assume that, in consequence of the Government Notice of the 10th January last, the Grain Department is to be abolished, agreeably to the recommendations of the Commissioners of Colonial Inquiry, in 1830, that "the whole of the present establishment shall be discontinued, and all the consumption-duties shall be paid to the collector of the Customs."*

Vide Papers printed by Order of the House of Commons, 8 December 1830. No. 64, p. 10.

As a first step to the abolition of the Grain Department, we think it expedient that the collection of all duties on imported grain, flour, &c., now levied by the Grain Department, be immediately transferred to the department of the Customs; and that, for this purpose, all the subordinate officers belonging to the superintendent's branch of the Grain Department be placed under the orders of the collector of Customs. The persons so transferred should be informed that they are only placed provisionally in the department of the Customs; inasmuch as it will probably appear, that a smaller number of persons will suffice to collect the duties on imports when the collection is performed by one department, than when it is performed by two.

As the grain guards would be included among the persons so transferred, and as they might thenceforth be employed generally for the protection of the revenue collected by the department of Customs, we recommend that the duties of a like description, now performed by the department of Marine Police, be at the same time transferred to the Customs.

With regard to the Government stock of wheat, now in the charge of the Grain Department, we think that it may be most conveniently disposed of in three or four sales, by public auction or by tender, such sales to take place at intervals not greater than three or four weeks. We further think, that public notice ought to be given of the manner in which the Government decides to sell its remaining stock; and that the first sale should take place shortly, as a considerable quantity of the wheat is in a state in which it will be deteriorated by further keeping. The Government will, of course, reserve from such sales any quantity of wheat which the Commissariat may be willing to purchase; and the quantity which will be required, for some time to come, by the purveyor of the charitable institutions.

It is our intention to recommend to the Secretary of State, that, when the Government stock of wheat shall have been disposed of, the rest of the Grain Department, including the offices of superintendent, and of Government agent and broker, be abolished. Until the pleasure of the Secretary be known, this part of the Grain Department may continue, as heretofore, in charge of the Government stock of wheat, and of the sales which may, from time to time, be made of it.

In considering the most effectual means of carrying into execution the resolution of the Government to discontinue its stock of wheat, and the consequent abandonment of the entire supply of wheat to the private trader, our attention has been directed to the effects of the additional duties now levied on grain, flour, &c., imported in foreign vessels.

If the entire quantity of foreign grain required for the consumption of the island, were imported under the British flag, the double rate of duties would probably not influence the price. But as part of the foreign grain is imported in British, and part in Foreign vessels, the effect of the double rate of duties is to increase the price of all imported grain by an amount equal to the highest rate of duty. As there cannot be two prices of grain, and as the general price is determined by the price of grain imported under the most unfavourable circumstances, the price of the grain imported in British vessels is raised to the consumer by the difference between the two rates of duty. Precisely the same effect is now produced as if the duty levied on grain imported under a Foreign flag was also levied on grain imported under a British flag, with this exception, that the additional charge on grain imported under a British flag is now gained by the importer, whereas, if the duties were equalized at the highest rate, the whole would be received on the account of the public revenue. It is, however, to be observed, that although the price of imported grain is thus enhanced for the sake of the Maltese shipowner, his profits are not raised above the ordinary rate, inasmuch as competition reduces the profits of all open trades to an equality.

It seems to us, therefore, that the additional duties on imported grain raise the price of grain, without benefiting the revenue to a corresponding degree; that, in consequence of them, a considerably larger sum is paid by the consumer than is received by the Government; consequently, by raising the price of grain, these duties discourage importation, while their produce is not sufficiently large to make them of much importance to the revenue.

Nevertheless, in order to avoid any loss to the revenue from the abolition of the additional duties, it might seem advisable, when they are abolished, slightly to raise the present rate of duties on grain imported in British vessels. This measure would at once benefit the consumer and the revenue; but, after giving the subject our most attentive consideration,

* First Report, p. 10.

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consideration, we think that the true nature of the change would be misunderstood, and that it would be thought, by the bulk of the community, to be an increase of the duties on imported grain, in reality, as well as in appearance.

We think, therefore, that the most expedient course for the Government to pursue, will be, simply to abolish the additional duties on grain imported under a foreign flag, and to declare that the duties now payable on grain imported under a British flag shall be payable on all imported grain whatever.

The loss to the revenue produced by the abolition of the additional duties would not be great. The proceeds of them during each of the last four years were as follows:

1833 - - - - - - - - -	£. 2,615
1834 - - - - - - - - -	2,674
1835 - - - - - - - - -	1,925
1836 - - - - - - - - -	1,039

It is not unreasonable to expect that the diminution of the price of grain, in consequence of the abolition of the additional duties, would lead to an increase of consumption, and thus to an increase of revenue. Moreover, if the present system of levying the grain duties by a scale should be continued, the increase of price, arising from the discriminating duties, would occasionally cause a reduction of the general rate of duty, and thus diminish the total revenue collected upon grain.

A considerable saving will likewise accrue from the abolition of the Grain Department, and the consequent release of the buildings and fosses now used by it, as well as from the discontinuance of the impolitic trade in wheat carried on by the Government. About 11,000*l.* was written off last year on a settlement with the Grain Department, and the Government agent estimates the probable loss on the ultimate winding up of the accounts at not less than 5,000*l.*

We have, &c.

Sir Frederick Hankey, &c. &c. &c.

(signed) *John Austin.*
G. C. Lewis.

— No. 6. —

No. 6.
Report on Changes in the Duties on Imports.

REPORT on the expediency of making certain Changes in the Duties levied on Imports into *Malta.*

My Lord, Malta, 4 May 1837.

In consequence of the recent change in the policy of the Government with respect to the maintenance of a stock of wheat at the public cost, our attention has been directed to the operation of the present duties on imported grain, and thence to the other duties on imports. Having completed our investigation of this branch of the public revenue, we think that we shall best fulfil the objects of our commission by reporting to your Lordship on this subject without further delay. The changes which we shall recommend admit of being made separately, without disturbing any part of the Government, or affecting the gross produce of the revenue. And as the present system of taxation appears to us in many respects hurtful to the commerce of the island, we think that our recommendations, if His Majesty's Government should deem it fit to adopt them, need not be postponed until we shall have completed our inquiries.

In reporting on this subject, we will first trace the manner in which the present duties on imported grain originated, and we will then state our reasons for recommending a change in the mode of levying them. We will afterwards explain the principles by which we have been guided in selecting the other articles which we propose to subject to an import duty, and in determining the rates of duty which shall be payable on them.

Under the government of the Knights of St. John, the inhabitants of Malta were furnished with grain and other articles of food by a corporate body or università, which had the monopoly of the commodities in which it dealt, and fixed the prices of them in the island. This system was continued by the British Government, with respect to the supply of grain, until the year 1822; the only change made in this interval being, that the management of the purchases and sales of grain was in 1818 transferred from the università to commissioners, who were entitled Commissioners of the Board of Supply.

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Report on Changes in the Duties on Imports.

On the 24th of January 1822, Sir Thomas Maitland issued a proclamation, stating that on the 1st of July then next, the commerce of grain of every kind would be thrown open in these islands, and imposing a duty of four scudi per salm on wheat imported under the British or Ionian flag, and of five scudi on wheat imported in foreign vessels, and duties on other imported grains in proportion. By the same proclamation it was declared, that the Government would continue to keep a stock of grain, in order to guard against scarcity or high prices; and that the import duties would be levied in order to reimburse the Government for any losses which it might incur from keeping such a stock. The Board of Supply was suppressed when this proclamation came in force; and a new department was created (called the Grain Department), one branch of which managed the collection of the duties on imported grain, and the other managed the purchases and sales of wheat on the Government account.

Before the opening of the trade, a considerable indirect tax on imported grain had been levied on the public by means of the monopoly, for the purpose of indemnifying the Government for its losses in the grain trade, and for other purposes. The amount of this tax may be estimated by comparing the prices at which grain was bought with those at which it was sold. Between the years 1781 and 1790, wheat was sold to the public at sc. 24. 2. per salm (2 *l.* 7 *s.* 6 *d.*); the average price at which it was purchased was sc. 20. 5. 8. (2 *l.* 0 *s.* 2¼ *d.*) per salm; showing a difference in favour of the Government of sc. 3. 8. 12. (7 *s.* 3¾ *d.*) per salm. From 1791 to 1798, wheat was sold to the public at sc. 29. 9. 7. (2 *l.* 17 *s.* 11¼ *d.*) per salm; the average price at which it was purchased was sc. 22. 8. 14. (2 *l.* 4 *s.* 8¼ *d.*) per salm: showing a difference in favour of the Government of sc. 6. 8. 18. (13 *s.* 3 *d.*) per salm. Upon the average of the 18 years from 1781 to 1798, the Government made a monopoly profit, or levied an indirect tax on imported wheat of 9 *s.* 11¼ *d.* per salm. The effect of the corn monopoly in thus levying an indirect tax on the consumer, under the British Government, has been clearly and satisfactorily shown by Mr. Thornton, the Auditor-general, in a paper which we subjoin to our Report, and to which we beg to direct your Lordship's attention. In this paper Mr. Thornton shows, that from 1800 to 1814, a tax on imported wheat, equal to about 7 *s.* the salm, was levied by means of the monopoly; and that from 1815 to 1822, a similar tax was levied, equal to about 14 *s.* the salm; making, upon the average of the 22 years, a tax of about 9 *s.* 6 *d.* per salm.

On the 21st June 1824, Lord Hastings issued a proclamation with respect to the duties on grain, in which, after reciting and adopting the purposes stated in Sir Thomas Maitland's proclamation, he substituted, for the fixed duties on imported grain imposed by that proclamation, a graduated scale of duties, varying according to a certain average price to be declared monthly.

The import duties on grain continued to be levied under this proclamation until December 1832. On the 8th of that month a law was proclaimed, abolishing all duties levied by the Grain Department, and substituting a graduated scale, founded on the same principle as that in the proclamation of 1824, but differing in the details. In this law it is not stated that the duties on imported grain are to be levied for the purpose of reimbursing the Government for the losses sustained in keeping a stock of wheat.

On the 10th of January last, the Governor issued a notice, that no further purchases would be made, on Government account, for the purpose of maintaining a reserved stock of wheat.

In consequence of the abandonment of the system of maintaining a government stock of wheat, and in obedience to your Lordship's instructions to us on the subject, we submitted to the local Government a plan for carrying this measure most effectually into execution. The chief part of this plan has been carried into effect by the Minute of the 7th of April last, which provides for the eventual abolition of the Grain Department, by transferring the collection of the import duties on grain to the collector of the Customs, and which abolishes the additional duties on grain imported in foreign vessels.

The maintenance of a government stock of wheat having been abandoned, this Minute properly treats the import-duties on grain as a tax levied for the general purposes of the Government; and, in fact, the produce of these duties has been so employed since their first imposition at the opening of the corn-trade in 1822. After deducting the expenses of management, and the losses on the

the sales of wheat, a considerable surplus has annually been paid to the Government, and applied by it to the disbursement of its current expenses.

We have already shown that, under one form or another, the Government of Malta has for many years raised a considerable part of its revenue by import-duties on grain. It appears to us, for several reasons, that this tax, though objectionable on some grounds, is on the whole less objectionable than any which could be substituted for it.

The revenue of the Government of Malta is at present derived from the following sources, the annual produce of each of which is stated in round numbers:

	£.
1. Rents of the Crown lands - - - - - - - -	23,000
2. Small internal taxes, (chiefly licences for exercising trades; also a tax on the transfer of landed property, and an auction duty,) -	2,400
3. Fees of courts and government offices, postage of letters, receipts of government printing-office, fines, &c. - - - - -	5,200
4. Duties on imports, tonnage dues and quarantine dues - -	65,000
Total	£. 95,600

By this sum are defrayed all expenses of a public nature in Malta: no money is levied by any subordinate authority as a local charge or rate.

From the foregoing statement it will be perceived, that the Government of Malta annually raises by taxation a revenue of about 73,000 *l.* Of this sum, about 65,000 *l.* is derived from duties on imports and merchant vessels; and of the 65,000 *l.* so derived, about 35,000 *l.* arises from the import-duties on grain.

It appears to us that an attempt to substitute direct for indirect taxes in Malta would be followed by the most disastrous consequences. An income-tax, a tax on lands and houses, or a poll-tax, producing from 40,000 *l.* to 50,000 *l.* a year, would, in our opinion, be a severe and almost intolerable burden to the inhabitants of the island. We think, therefore, that the revenue of the Government, so far as it depends upon taxation, ought to be chiefly derived from duties on imports, which fall indirectly on the consumer.

Now if a revenue is to be raised upon imports, it must be raised upon articles of general consumption. However desirable it may be that taxes should fall proportionally heavier on the rich than on the poor, it is impossible in Malta, (or, indeed, in any country) to raise a considerable revenue by taxes on luxuries. The attempt has been made in Malta, and has completely failed, as will appear from the following facts. The duty on superior wines is 8*s.* per barrel, on common wines 1*s.* 8*d.* per barrel, with an additional duty of 4*d.* per barrel if the wine is imported in a foreign vessel. The quantities imported, and the revenue collected on these two kinds of wine respectively, in 1836, were as follows:

	Barrels.	Revenue Collected.
Superior wine - - - - -	335	£. 134
Common wine - - - - -	147,064	12,255

There are 48 bottles in a Maltese barrel; consequently a duty of 2 *d.* a bottle on superior wines produced a revenue of 134 *l.*; while a duty of five-twelfths of a penny a bottle on inferior wines produced a revenue of 12,255 *l.* That is to say, a duty nearly five times lower produced a revenue about 90 times greater.

The revenue derived from the following articles in 1836 will also serve to show the unproductiveness of taxes on articles of luxury in Malta:

Imports.	Quantities Imported. *Cantars.*	Revenue Collected. £.	*s.*	*d.*
Candles (wax) - - -	2 94 ¼	1	15	3
Candles (spermaceti) - -	50 09 ½	22	10	9
Cocoa - - - - -	47 16	1	3	7
Coffee - - - - -	3,152 6	236	4	11
Tea - - - - -	160 9	118	1	4

Among the imports of general consumption, upon which a duty can be levied, grain is the most conspicuous. On account of its large population, and the unproductiveness of a considerable portion of its surface, the island requires an annual importation of about 73,000 salms (or quarters) of grain. Grain being a bulky

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Report on Changes in the Duties on Imports.

a bulky article, and liable to damage from wet, it is not easily smuggled; and as it does not suffer from being measured out, the duty is collected on it with little loss or inconvenience to the importer.

As therefore it appears that the Government has pursued a wise policy in deriving a large part of its revenue from duties on imported grain, it remains to be considered by what principle these duties should be regulated.

The duties on imported grain imposed by Sir Thomas Maitland, on the opening of the corn-trade in 1822, were (as has been already stated) fixed at so much the salm, without reference to the price. This principle was changed in 1824 by Lord Hastings, who substituted a scale of duties, varying inversely with the price; that is to say, as the price rose, the duty fell, and the converse. Changes were made in the rates of duty by the proclamation of 8th December 1832; but the principle of Lord Hastings's scale was preserved. The scale established by the latter proclamation (according to which the duties on grain are now levied) is as follows:

DUTIES OF CONSUMPTION, HOW REGULATED.	On Foreign Wheat, per Salm, or, if manufactured, per Cantar.	On Foreign Indian Corn, Barley, Rye, or other inferior Grains, per Salm, or, if manufactured, per Cantar.
When the average price per salm, of all foreign wheat, shall be as follows, viz.:—	£. s. d.	£. s. d.
At or under - - - 25 s. - - -	- 12 -	- 7 -
Above 25 s. and not exceeding 30 s. - - -	- 11 -	- 6 6
— 30 s. — 35 s. - - -	- 10 -	- 6 -
— 35 s. — 40 s. - - -	- 9 -	- 5 6
— 40 s. — 45 s. - - -	- 8 -	- 5 -
— 45 s. — 50 s. - - -	- 7 -	- 4 6
— 50 s. — 55 s. - - -	- 6 -	- 4 -
— 55 s. — 60 s. - - -	- 5 -	- 3 -
— 60 s. — 65 s. - - -	- 3 -	- 1 6
— 65 s. - - - - - - -	- 1 -	- - 6

The principle of this scale is, to begin with a duty on wheat of 12 s. when wheat is at or under 25 s. per salm, to remit 1 s. of the duty for every increase in the price of 5 s. up to 60 s., then to remit 2 s. between 60 s. and 65 s., and to levy a duty of 1 s. when the price is above 65 s.

The operation of the present graduated scale, by which the import-duties have been levied since 1832, has been much complained of; and it appears to us, for the following reasons, that, under the circumstances of the island, a fixed duty would be preferable.

1. A graduated scale, varying according to the fluctuation of prices, increases the hazards of speculation in corn, by multiplying the elements of uncertainty. The speculator has to take into his account not only the variation of the price, but also the variation of the duty. On examining the principal merchants of the island, both British and Maltese, on this subject, we found them unanimous in giving a decided preference to the principle of a fixed over that of a varying duty; upon the assumption that an equal revenue was to be levied by the Government on imported corn. We need scarcely add, that any fiscal arrangement which adds to the inherent risks of mercantile speculation must, by diminishing the facility of supplying the consumer, raise the price at which he purchases.

2. The object of the scale which we are considering, is to relieve the consumer by lowering the duty as the price rises. The relief, however, which is afforded by this scale seems to us to be, in ordinary years, so small as not to be sensible by any class of consumers. The ordinary price of wheat in Malta, without the duty, is about 30 s. per salm. The averages of wheat are, under the present law, declared every month; and since January 1833, the highest declared average is 34 s. 4 ¼ d.; the lowest, 25 s. 7 ¾ d. Now (as we have already stated), the principle of this scale is, beginning with a duty of 12 s. when wheat is 25 s. per salm, to remit 1 s. for the duty for every advance of 5 s. in the price. As, therefore, in ordinary years, the price of wheat is between 35 s. and

25 s.

25 *s.*, and oscillates about the point of 30 *s.*, the duty varies between 11 *s.* and 10 *s.* per salm. But the remission of 1 *s.* per salm, in the duty on wheat, although of great importance to the revenue, is not felt by the bulk of the consumers of wheaten bread. A salm of wheat is estimated to produce 240 loaves of a rotolo each, (1 ¾ lb. English); consequently, the remission of 1 *s.* on the salm, by means of the scale, affects the price of a rotolo loaf of bread to the extent of only 1-20th of a penny. As the consumers of corn are only practically affected by the price of corn in the price of bread, this relief is in reality insensible, even to the poorest persons who consume wheaten bread.

In order that the relief afforded to the consumer by a graduated scale of duties should be sensible, it is necessary that the degrees of the scale should be considerably wider than those in the scale which we are considering. And hence, if we thought it advisable to retain the principle of a scale, we should recommend the adoption of a scale nearly similar to that suggested in the petition of the merchants and inhabitants of Malta in 1821; viz. when the price of wheat is under 30 *s.* per salm, the duty on it to be 10 *s.*; when the price is between 30 *s.* and 60 *s.*, the duty to be 5 *s.*; when the price is between 60 *s.* and 80 *s.*, the duty to be 2 *s.* 6 *d.*; and when the price exceeds 80 *s.*, the duty to cease.

It appears to us, however, for the reason first stated, that a fixed duty on imported grain is preferable in Malta; and we will state, in the Tariff subjoined to this Report, the rates at which we propose to fix duties on the different kinds of grain.

These rates of duty are calculated to produce, at the present importations, an annual revenue of 32,000 *l.* to 33,000 *l.* In a year of scarcity, in which the prices of grain were considerably higher than usual, a revenue of this amount could not be raised in Malta on imported grain. It therefore occurred to us that it would be advisable to fix a maximum price of wheat (for example, 50 *s.* or 60 *s.* a salm) at which the import-duties on grain should cease to be collected. It is, however, difficult to predetermine the precise point at which the Government ought to cease to levy the proposed duties on imported grain, as the importance of the revenue so raised, and the power of the inhabitants to pay it, might depend on circumstances which could not be foreseen. We therefore incline to adopt the advice of Mr. Pappaffy, a gentleman well acquainted with the corn trade of the island, to fix a simple rate of duty, and to leave to the discretion of the Government any reduction in it which may be necessitated by a considerable rise in the price. If such necessity should arise, the Government must borrow money for its current expenses, and pay off the loan in subsequent years, when the grain duties again become productive.

The reason for fixing a maximum price at which the duty should cease, has no peculiar application to grain, unless the price of grain is more variable than that of other necessaries. It appears, however, on a review of some years past, that the prices of grain in Malta have not undergone any considerable fluctuations.

With regard to the other articles in the subjoined tariff, we have been guided by the following principles:—1. To retain the duties only on articles which would produce a considerable sum to the revenue, and which would probably be imported, not for re-exportation, but for consumption in the island; and, 2, To abolish all discriminating duties. By simplifying the tariff, we hope to diminish the inconvenience to the trader, and to economize and secure the collection of the revenue. The facilities thus given to the transit trade (combined with some slight changes which might hereafter be practicable,) would make Valletta as free a port as the circumstances of the island permit. And although we do not think it possible to increase the transit trade of the island to a great extent, yet there is no doubt that all legal restraints on it, not strictly necessary, ought to be removed, since they press upon the industry of the inhabitants, and thus indirectly produce far more loss to the working classes than those duties which slightly increase the prices of provisions.

It does not appear to us that the condition of the working classes in the island can be directly improved by any remission of taxes, which might ensue upon a reduction of the expenditure of the Government. The evidence which we have taken in the casals, on the state of the poor, proves that all the working people of the country are scarcely ever employed for hire; and that during several months of the year not more than a tenth part of them are in the receipt of wages. The rate of wages, moreover, is so low (from four to five tari, or 6¾ *d.* to 8¼ *d.* a day),

 that

that labourers, especially those with families, are unable to lay by any part of their earnings as a provision for the season when employment is scarce. The class who principally employ the agricultural labourers, viz. the farmers, are almost universally in very straitened circumstances; they have scarcely any capital; they pay their rents with the utmost difficulty, and are frequently distrained upon or ejected by their landlords. In this state of things, it is manifest that any slight reduction in the price of provisions, which might result from a remission of the import-duties, would be immediately followed by a corresponding reduction in the rate of wages. The eager competition of the labouring class, and the necessities of the farmers, would inevitably lead to this consequence. The farmers, however, who would thus obtain labour at less cost, would only be so far benefitted, that they would be better able than they now are to fulfil the conditions of their tenancy. At present, they usually agree to pay a larger sum than they are able to pay; and thus, either the rent remains in arrear or they are ejected for non-payment of it. If, however, the cost of labour were somewhat lower, they would probably be able to pay a larger proportion of the promised rent. It seems to us, therefore, that, under the present circumstances of Malta, a slight reduction of the prices of provisions would produce no other benefit than that of securing to the landowners a more complete and punctual payment of their rents.

In making the above remarks, we are far from meaning to imply that it is indifferent how much money is taken by the Government in the shape of taxes; or that, because the remission of a tax would produce little benefit, the Government should continue to raise a revenue which is not needed for purposes of unquestionable public utility. We would scarcely have made these observations, however convinced we are of their truth, if we had thought that they could be distorted into an approbation of a lavish or ill-considered expenditure of public money. We have made them for the purpose of guarding, so far as we are able, against the formation of extravagant expectations of benefit to the working classes from the remission of taxes, and against the notion that the wages of labour can, with the present population and resources of the island, be permanently increased by any fiscal measures of the Government.

The present taxation of the island seems to us objectionable, not so much from its amount, as from the manner in which the duties are imposed. The taxation is hurtful, not by taking 73,000 *l.* a year from the community, but by repressing industry, and by diverting capital into unprofitable employments. In like manner, the present expenditure of the Government seems to us objectionable, not so much from its amount, as from the nature of many of the expenses. While many civil establishments are maintained on a scale of needless expense, some of the most urgent wants of the Government remain unsatisfied, and some of its most important functions remain unperformed. On these latter subjects we shall submit our opinions to your Lordship in detail hereafter; for the present we will only remark, that the Government must continue to levy a considerable revenue on imports, even if its expenditure should be reduced to a scale arranged according to the principles of the most rigid and searching economy. We have accordingly suggested a plan, of which the main principles ought, in our opinion, to be permanently acted upon by the Government; the details of it, however, can only be fixed provisionally for the present, and ought to be periodically reviewed, so as to adapt them to the variations of commerce, and to the diminishing expenditure of the Government.

We have, &c.

To Lord Glenelg, &c. &c. &c.

(signed) *John Austin.*
George Cornewall Lewis.

PROPOSED TARIFF of CUSTOM DUTIES for *Malta.*

Beer in hogsheads - -	12*s.* per hogsh.
Do. in bottles - - -	1*s.* per doz.
Cattle:	
Bullocks, horses, and mules -	20*s.* per head.
(The Quarantine dues on bullocks, horses, and mules, to be abolished.)	
Charcoal - - - -	6*d.* per salm

Grain:	
Wheat - - - -	10*s.* per salm
Indian corn - - -	6*s.* ditto
Barley - - - -	4*s.* ditto
Saggina - - - -	3*s.* ditto
Other inferior grains - -	5*s.* ditto
Manufactured grain - -	6*s.* per cantar
Oil (olive) - - - -	6*d.* per caffiso.

Pulse

Pulse and Seeds:	
Beans, caravances, chick peas, kidney-beans, lentils, lupins, peas and vetches	2*s.* per salm
Carob-beans and cotton seeds	6*d.* per cantar
Spirits	22*s.* per barrel
Vinegar	2*s.* ditto
Wine (superior)	11*s.* ditto
Wine (common)	2*s.* per barrel.

Tonnage Dues:

For every ton, or any part thereof, 6*d.*
Malta-built vessels, not exceeding 40 tons, to be free.
A duty to be levied on spirits manufactured in the island.

APPENDIX.

THE CORN MONOPOLY in MALTA, under the British Government, viewed as an Indirect Tax upon the People.

I. Administration in time of War, from the 4th September 1800 to the 31st December 1814.

During this interval, the jurats of the Università of Valletta (the institution charged with the supply of the inhabitants,) purchased or received 807,429 salms of wheat, namely, 446,063 bought on the spot, and the remainder imported from abroad, including some returns of corn lent, petty duties, and rent received in kind, with increase in the fosses; and upon winding up the concerns of this administration, a loss resulted to the Government treasury of 56,000*l.*,* as settled to the 24th December 1824. Half of this loss, however, is to be placed to the account of the interference of the jurats in the supply of cattle. Hence the loss on the Grain concern during the period may be taken in round numbers at 28,000 *l.* or 30,000 *l.* †

That bad management in the direction and conduct of the importations from abroad was not only the occasion of such loss, but likewise a prevention of some gain, is established beyond a doubt. Upon the purchases made in port there was a profit; and the true mode of viewing the corn monopoly in its effect upon the people, as consumers of wheaten bread, must be by comparing the local purchasing and retailing prices. The following Statements are accordingly given of the same:

WHEAT Purchased in Port.

From 4 September 1800 to—	SALMS.	COST.	AVERAGE.
		Scudi.	*Scudi.*
24 July 1802	28,008	1,011,605	36
24 July 1803	47,847	1,537,871	32 ¼
24 July 1804	32,021	893,336	28
24 July 1805	21,673	765,468	35 ¼
24 July 1806	47,851	1,685,191	35 ¼
24 July 1807	45,685	1,288,926	28 ¼
31 Dec. 1807	4,070	98,473	24 ¼
1808	37,237	875,511	23 ½
1809	57,178	1,491,370	26
1810	35,466	1,301,246	36 ½
1811	20,656	1,426,039	46 ½
1812	9,090	367,083	40 ½
1813	24,919	893,320	36
1814	24,362	761,380	31 ¼
Salms	446,063	*Sc.*14,396,819	

The average upon the total quantity is about 32 ¼ scudi; and the average as to time, (the proper one here to be considered,) calculated generally by half-years, is 33 ⅓ scudi the salm.

The retailing prices of the regular issuing mixture of wheat sold to the public during the same interval were as follows:—

From 4 Sept. 1800 to—		From 22 June 1807 to—	
5 October 1800	32 scudi the salm.	12 March 1810	32 scudi the salm.
28 October 1800	34 ⅔	30 March 1810	36
22 June 1801	40	16 August 1810	40
2 December 1801	34 ⅔	5 February 1811	37 ⅓
23 August 1802	40	30 April 1811	40
12 June 1803	37 ⅓	30 May 1811	42 ⅔
27 August 1804	34 ⅔	14 June 1813	48
22 June 1807	37 ⅓	31 December 1814	40

which, calculated generally by months, give the average of about 38 ⅙ scudi the salm.

If

* Adjusted balance in disburse by Government for the University of Valletta, 31 December 1814 (MS. 23d Report Arrear Audit, page 122) *Sc.* 1,463,020. 6. - £. 121,918 7 6
Since recovered to 24 December 1824 (printed Returns 1828, p. 2) - - 65,886 3 7

£. 56,032 3 11

† The currency being then of higher value.

No. 6.
Report on Changes in the Duties on Imports.

If five-sixths of a scudo (10 tari) be allowed for expense of storing and issuing, it will result that the people were indirectly taxed by means of the monopoly at the rate of four scudi the salm, which, at the present value of currency, is 6*s.* 8*d.* sterling, but may be taken for that period, when the dollar passed at a higher rate, at about 7*s.* the salm. The charges of management are not here made a question.

II. Administration in time of Peace, from the 1st January 1815 to the 30th June 1822, when the Corn Monopoly was abolished.

These distinctions between the periods of war and peace are not specific, but general. On the 1st January 1815, Sir Thomas Maitland re-organized the administration of the università, with the view of changing it from a department of expense to one of revenue. The profits declared for this concern (repassing the losses on cattle during the first four years,) were as follows:

Years 1815, 1816, 1817 and 1818, under the jurats of the università	*Sc.* 1,085,083	3 2
Years 1819, 1820, 1821 and half of 1822, under the commissioners of the board of supply - - - - - - - - -	806,510	3 15
Scudi	1,891,593	6 17

Equal, at the present rate of 12 scudi to the pound, to 157,632*l.* 16*s.*, being 21,017*l.* 14*s.* a year.

Had it not been that the large supplies of corn laid in by the jurats prevented the commissioners of the board of supply from taking full advantage of an abundant market, the profit would have been much greater than the amount actually realized.

The total receipts into the granaries, during the seven years and a half, amounted to 447,654 salms, of which 74,665 salms were purchased in port from the trade; namely:—

	Salms.	*Scudi.*
In 1815 - - - -	23,978	591,353
1816 - - - -	36	1,361
1817 - - - -	8,925	358,100
1818 - - - -	9,610	226,980
1819 - - - -	11,071	151,022
1820 - - - -	15,012	178,430
1821 - - - -	4,840	116,070
1822, to 30 June - -	1,193	32,600
Salms	74,665	*Sc.* 1,655,916

The average of which is about $22\frac{1}{6}$ scudi the salm.

These purchases not having been effected in regular proportions, at stated intervals, the Malta Price Current has been resorted to for the average value, as to time, of the ordinary issuing mixture of wheat to the public; and the following general half-yearly results are given accordingly:—

	Scudi.		*Scudi.*
1815 - - - -	28 38	1819 - - - -	20 16
1816 - - - -	37 37	1820 - - - -	15 20
1817 - - - -	45 32	1821 - - - -	24 22
1818 - - - -	29 24	1822 - - - -	23

The mean of which, for the seven years and a half, is about 27 scudi the salm.

The retailing prices of the issuing mixture of wheat from the public granaries, during the same period, were as follows:—

See Government Proclamations.

	Scudi.		*Scudi.*
From 1 January 1815 to—		From 31 March 1820 to—	
15 March 1819 - - -	40	30 Nov. 1820, mean of 24/30 -	27
15 August 1819 - - -	$33\frac{1}{2}$	30 April 1821, — 28/34 -	31
12 February 1820 - -	30	31 Dec. 1821, — 28/40 -	34
31 March 1820, mean of 20/30	25	30 June 1822, — 24/32 -	28

Averaging about 36 scudi the salm.

It therefore appears that, after making a due allowance for the charges of storing and issuing, the public sustained from the monopoly, during these seven years and a half, an indirect tax of about 14*s.* the salm, computed according to the value of Maltese currency at the time.

It should also be observed, that during the five months of 1822 intervening after the abolition of the monopoly was announced, private importers were allowed to introduce their grain upon payment of the difference between the entrepôt and retailing value; and, accordingly,

ingly, the sum of *Sc.* 34,643 was levied on 5,741 salms of wheat, averaging about six scudi the salm.

La Valletta, 10 April 1837. (signed) *Wm. H. Thornton*, Auditor-general.

Note.—The average of the indirect tax, for the entire period of 22 years, is about 9 *s.* 6 *d.* the salm. It may, however, in general terms, be taken at 10 *s.*, as the allowance made for charge of storing and issuing is liberal; and there being, if anything, a leaning to moderation in the computations of average.

(signed) *W. H. Thornton.*

AVERAGE Cost and Sale Prices of Wheat to the Public, under the Monopoly, from the Year 1780 to 1821.

YEAR.	COST PRICES. Lowest.	Highest.	Average.	Sale Price.	Average Cost Price.
	Scudi. T. G.	*Scudi. T. G.*	*Scudi. T. G.*	*Scudi. T. G.*	*Scudi. T. G.*
1781	18 – –	25 – –	20 5 3		
1782	16 – –	24 – –	18 5 5		
1783	24 – –	24 – –	24 – –		
1784	18 – –	24 – –	21 – –		
1785	15 4 –	24 – –	20 6 5	24 2 –	20 5 8
1786	13 6 –	24 – –	18 10 10		
1787	14 – –	24 – –	17 – –		
1788	16 – –	24 – –	20 – –		
1789	21 – –	24 – –	23 – –		
1790	18 6 –	24 – –	21 2 13		
1791	20 – –	24 – –	20 11 –		
1792	20 – –	24 – –	21 11 –		
1793	16 – –	24 – –	21 4 –		
1794	20 – –	29 4 –	24 – –	29 5 12	22 8 14
1795	20 – –	29 4 –	24 3 –		
1796	22 – –	29 – –	25 3 –		
1797	13 8 –	29 4 –	23 11 8		-- French occupation and blockade, say from June 1798 to September 1800.
1798	14 8 –	29 3 –	21 2 3		
1799	29 – –	29 4 –	29 2 –	29 4 –	
1800	30 – –	47 5 –	38 6 6	32 3 10	
1801	25 – –	48 – –	34 3 16		
1802	22 – –	40 – –	33 7 –		
1803	22 – –	45 6 –	30 3 –		
1804	17 – –	45 6 –	27 3 2		
1805	20 – –	48 – –	25 7 13		
1806	22 – –	37 4 –	30 9 15		
1807	12 – –	32 – –	23 10 10	37 7 2	31 9 13
1808	12 – –	32 – –	22 6 16		
1809	12 – –	37 – –	26 1 12		
1810	30 – –	40 – –	35 9 6		
1811	38 – –	54 – –	44 4 8		
1812	20 – –	45 9 –	40 8 12		
1813	20 – –	48 6 –	38 2 3		
1814	18 – –	40 – –	31 7 12		
1815	29 – –	31 – –	29 4 7		
1816	- - -	- - -	35 3 3		
1817	30 – –	52 6 –	37 9 5	36 – 15	27 1 11
1818	- - -	- - -	25 2 18		
1819	13 7 14	27 7 15	21 11 10		
1820	11 3 –	23 4 17	15 6 3		
1821	11 11 14	29 – 14	20 3 13		

G. Ward, Sup^t^ Grain Dep^t^.

AVERAGE Cost and Sale Prices of Wheat to the Public, under the Monopoly, from the Year 1781 to its termination in 1821 (say June 1821).

	PERIOD.	Number of Years.	Average Cost Price.	Average Sale Price.	Excess of Sale Price.
			Per Salm.	*Per Salm.*	*Per Salm.*
Government of the Order	1781 to 1790	10	*Sc.* 20 5 8	*Sc.* 24 2 –	*Sc.* 3 18 12
	1791 to 1798	8	22 8 14	29 5 12	6 8 18
French occupation	1799 and 1800	Omitted; the actual period was from the 9th June 1798 to 3d September 1800.			
British possession	1801 to 1813	13	31 9 13	37 7 2	5 9 9
	1814 to 1821	8	27 1 11	36 – 15	8 11 4
Aggregate Average for		39	*Sc.* 26 – 17	*Sc.* 32 2 –	*Sc.* 6 1 3

No. 6.

Report on Changes in the Duties on Imports.

TRANSLATION of the Sums in the two first lines into English Money, according to the value of the Maltese Currency in time of the Order, (namely, the Scudo at 48 Sous, of 60 to the French Crown, the intrinsic value of which was 29½ *d.*) sterling.

	s.	d.	s.	d.	s.	d.
1781 to 1790 - - - - -	40	2.62	47	6.33	7	3.71
1791 to 1798 - - - - -	44	8.31	57	11.41	13	3.10
Aggregate Average for the 18 years -	42	2.48	52	1.92	9	11.44

G. Ward, Sup^t^ Grain Dep^t^.

RETURN of the QUANTITY of WHEAT released for Consumption under the HASTINGS' TARIFF, the AMOUNT of DUTY levied thereon, and the AVERAGE RATE of the same.

	Salms.	£.	*Average.* s.	d.
1824 (last six months) -	28,635	16,066	11	2¾
1825 - - - -	59,845	31,778	10	7½
1826 - - - -	60,643	31,421	10	4¼
1827 - - - -	67,757	37,573	11	1
1828 - - - -	49,747	25,029	10	−¾
1829 - - - -	54,960	22,991	8	4⅓
1830 - - - -	49,905	27,415	10	11¾
1831 - - - -	65,460	32,175	9	10
1832 - - - -	53,611	28,088	10	5¾
	490,563	252,536		
Average per Annum - -	57,713	29,828	10	3½
To which add, the Petty, Quarantine, and Custom Duties, amounting to about 9½ *d.* per Salm - -		19,418	−	9½
		Per Salm -	11	1

G. Ward, Sup^t^ Grain Dep^t^.

RETURN of the QUANTITIES and AMOUNT of DUTY levied on INFERIOR GRAINS and MANUFACTURED WHEAT.

	BARLEY.		INDIAN CORN.		SAGGINA.	
	Salms.	Duty.	Salms.	Duty.	Salms.	Duty.
		£.		£.		£.
1833 - - -	12,591	4,319	3,276	1,233	—	—
1834 - - -	10,913	3,772	7,612	1,420	—	—
1835 - - -	5,855	1,892	4,280	1,339	1,220	366
1836 - - -	3,253	1,052	821	288	8,839	1,722
TOTALS - - -	32,612	11,035	15,989	4,280	10,059	2,088
Average per Annum -	8,153	2,759	3,997	1,070	2,515	522

WHEAT MANUFACTURED.

	PASTE.		FLOUR.		BISCUIT.	
	Cantars.	Duty.	Cantars.	Duty.	Cantars.	Duty.
		£.		£.		£.
1833 - - -	348	221	95	59	35	19
1834 - - -	350	219	150	77	40	22
1835 - - -	380	227	131	76	24	14
1836 - - -	133	86	122	68	39	25
TOTALS - - -	1,211	753	498	280	138	80
Average per Annum -	303	188	124	70	35	20

G. Ward, Sup^t^ Grain Dep^t^.

ANNUAL AVERAGE QUANTITIES, RATES, and AMOUNT of DUTY levied thereon, exclusive of the discriminatory Duty, during the Four Years 1833 to 1836.

Articles.	Quantities.	Rates of Duty.	Amount of Duty.
		s. *d.* per	£.
Wheat - - -	57,981	10 3¾ salm.	29,924
Barley - - -	8,153	6 3½ —	2,536
Indian Corn - -	3,997	6 3½ —	942
Saggina - -	2,515	6 3½ —	505
Paste - - -	303	10 3¾ cantar.	158
Flour - - -	124	10 3¾ —	65
Biscuit - - -	34	10 3¾ —	17
Oatmeal - -	2	6 3½ —	1
Pearl Barley - -	18	6 3½ —	4
Average Annual Revenue for the Four Years, exclusive of the discriminating Duty - - - - - £.			34,152

(signed) *G. Ward*, Sup^t Grain Dep^t.

GENERAL AVERAGE PRICES of FOREIGN WHEAT at *Malta* (exclusive of Consumption Duty), during the last Eight Years, ending 30th June 1832, taken from the Brokers' Reports of Sales delivered into the Grain Department.

YEAR.	EGYPTIAN, by which the Duties were regulated.	Other Countries, chiefly Black Sea and Sicilian.	Aggregate Average: 3-10ths Egyptian, 7-10ths other kinds.
	per salm.	*per salm.*	*per salm.*
Last six months - 1824 -	21/1 ½	26/7 ½	24/11 ½
1825 -	26/6 ½	29/7 ¼	28/8 ½
1826 -	30/5 ¾	27/3 ¼	28/2 ¾
1827 -	29/3	30/9 ¾	30/4
1828 -	31/4 ¾	38/2 ¼	36/1 ¾
1829 -	32/10 ¼	37/1 ¾	35/10 ¼
1830 -	27/1	30/1 ½	29/2 ½
1831 -	25/0 ¾	35/8	32/5 ¾
First six months - 1832 -	30/4 ¾	33/1 ¼	32/3 ½
General Average during the 8 Years - - - - -	28/3	32/0 ¾	30/11
	lowest. highest. 21/1 ½ 32/10 ¼ per salm.	lowest. highest. 26/7 ½ 38/2 ¼ per salm.	lowest. highest. 24/11 ½ 36/1 ¾ per salm.

N.B. A salm is about 1 ½ per cent. less than an Imperial quarter.

(signed) *G. Ward*, Sup^t Grain Dep^t.

RETURN of the AVERAGE PRICES of all FOREIGN WHEAT in each Month, and likewise the Aggregate Average Prices of Three Months by which the Duty is regulated, during the period of the existing Tariff being in force, namely, for the Years 1833–1836.

	1833.		1834.		1835.		1836.	
	Month ending 18th.	Aggregate of 3 Months.	Month ending 18th.	Aggregate of 3 Months.	Month ending 18th.	Aggregate of 3 Months.	Month ending 18th.	Aggregate of 3 Months.
	s. *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
January - -	30 3¼	29 10¾	33 3¾	31 5¼	35 11¾	34 4¼	30 1¾	29 10½
February - -	29 4¼	29 11¼	29 9½	31 11	29 1¼	32 11¼	28 11¾	29 6
March - -	30 8½	29 10½	29 1¼	30 3¾	26 8¼	30 7	23 8½	27 7¼
April - - -	31 7¼	30 6½	28 10¼	29 3	32 10¾	29 6¾	26 4	26 4
May - - -	29 1¼	30 5¾	26 7	28 2	30 7½	30 -¾	27 7½	25 10¾
June - - -	26 1¾	28 11½	25 10¼	27 1	32 1¾	31 10¾	27 -¾	27 -
July - - -	24 1¾	26 5¾	26 8	26 4½	30 11½	31 3	25 -¼	26 6¾
August - -	30 2½	26 10	25 4	25 11½	30 -¼	31 -½	26 3¼	26 1½
September - -	28 7	27 7¾	33 -¾	28 4¼	29 7½	30 2½	28 3	26 6
October - -	28 8¼	29 2	32 7¾	30 4	32 2¼	30 7¼	22 4¾	25 7¾
November - -	28 4	28 6½	33 4½	33 -¼	30 1	30 7½	30 2¼	26 11¼
December - -	32 8¼	29 10¾	33 8¾	33 3	29 4¾	30 6¾	29 4¾	27 4
Annual Average -	29 1¾	29 -¼	29 10½	29 7¾	30 9¾	31 1¾	27 1¼	27 1¼

Aggregate Average of the Four Years, 29*s.* 2¾*d.* per salm. { 19 months under 30*s.* / 29 — above 30*s.* } per salm.

(signed) *G. Ward*, Sup^t Grain Dep^t.

No. 6.
Report on Changes in the Duties on Imports.

RETURN of the QUANTITY of WHEAT released for Consumption, and on which Duty has been paid under the Tariff of the 8th December 1832.

	Salms.	£.	Average. s.	d.
1833 -	59,591	30,776	10	4
1834 -	55,150	27,945	10	1 ½
1835 -	56,898	28,594	10	– ½
1836 -	60,286	32,381	10	9
	231,925	119,696		

Average per annum, 57,981 salms - - £.29,924 - - 10 3¾ per salm.

(signed) *G. Ward*, Sup^t Grain Dep^t.

LETTER from COMMISSIONERS of INQUIRY to Chairman of the Committee of British and Maltese Merchants.

Valletta,
91 Strada, Vescovo, 16 April 1837.

Sir,

THE Commissioners of Inquiry having recently had under their consideration the expediency of modifying the actual duties payable on goods imported into the island for consumption, are disposed to recommend to His Majesty's Government some changes in the rates of duty and in the articles on which the duties shall be payable.

Before, however, they come to any conclusion on these subjects, they wish to ascertain as fully as possible the opinions of persons practically acquainted with the trade of the island, with the wants and habits of the people, and with the resources of the Government. They, therefore, request that the Committee of Merchants will consider the expediency of the subjoined scheme of duties on imports, and that, in so doing, the Committee will bear in mind the following observations:

In recommending any immediate changes in the existing duties on imports, the Commissioners must suggest such a tariff as will, on the whole, yield at least as large an amount of revenue as that which those duties now produce. Before they have completed their inquiries, it will be manifestly impossible for them to determine whether any, and what, reduction can be made in the expenditure of the Government. And if it should appear possible to diminish some branches of the public expenditure, consistently with the due performance of the functions of the Government, it may perhaps be at the same time expedient to increase the public expenditure for other purposes. Thus it may appear desirable to incur additional expenses for the payment of the Professors of the University, for the extension of the police force, for the construction of a penitentiary, for the education and relief of the poor, or for the increase and improvement of the Lazaretto.

With respect to the proposed tariff, you are requested to consider whether it be possible, and, if possible, expedient, to confine the revenue levied in this island by taxation to duties on articles imported for consumption.

If you should think that the revenue levied by taxation ought (as far as possible) to be derived from duties on articles imported for consumption, you are requested to advert to the following considerations: 1. Experience has proved that no considerable revenue can be raised in Malta (or, indeed, in any country) by taxes on luxuries. 2. If, for the sake of facilitating, simplifying, and securing the collection of the revenue, and of relieving the merchant from all needless vexations, the number of articles on which an import duty is levied is reduced as much as possible, it is necessary, in order that those few remaining duties should be productive, to fix them at as high rates as will not diminish the consumption or give rise to smuggling.

The proposed rates of duty on imported grain are all lower than those which have been actually paid since the proclamation of 21st June 1824. The average duty on imported wheat actually paid under this proclamation, in the nine years from 1824 to 1832, was 11*s.* 1*d.* per salm. The average duty on imported wheat actually paid, under the proclamation of 8th December 1832, in the four years from 1833 to 1836, was 10*s.* 3¾*d.* per salm. Unless, therefore, there should be an increased consumption of imported wheat (which can scarcely be expected), the revenue would lose, in comparison with the last 12 years, by fixing the import duty on wheat at 10*s.* per salm. There is, moreover, the loss accruing from the remission of the additional duties on imported grain by the minute of 7th April last; which, estimated at the average of the last four years, amounts to about 2,000*l.* a year.

A reduction of 1*s.* a salm in the duty on wheat is of great importance to the revenue, while it is scarcely felt by the consumer. If the annual importation for consumption is taken at 58,000 salms, the difference of 1*s.* on the salm makes to the Government a difference of 2,900*l.* a year. Now, if it is assumed that a labouring man consumes a rotolo of bread a day, and that a salm of wheat produces 240 rotoli of bread, the addition of 1*s.* to the price of a salm of wheat increases the price of a rotolo of bread by $\frac{60}{100}$ths (or $\frac{3}{5}$ths) of a grano. The cost of his bread would, therefore, be increased by 18 grani (or 1½*d.*) in a month, or 1*s.* 6*d.* in a year, a sum scarcely perceptible by the poorest person who consumes wheaten bread. This calculation, moreover, supposes that a labourer consumes, on an average,

a rotolo

a rotolo of wheaten bread a day throughout the year, which is probably above the truth; besides which, it is to be observed that the poorest part of the population consume little wheaten bread.

The principal article of general consumption on which it is proposed to increase the rate of duty, is pulse. The duty on pulse, as at present fixed, is too low as compared with the duty on inferior grains. The usual price of beans is 15*s.* the salm, and of ceci from 18*s.* to 20*s.* the salm; the duty is 8*a.* the salm in British vessels, with an additional duty of 1*s.* in foreign vessels. The proposed duty is 2*s.* the salm, which is 4*d.* higher than the duty now paid on pulse imported in foreign vessels. The substitution of the strike for the heaped measure would also make a difference of 15 per cent. The duty on common wines has likewise been fixed at the rate now payable on common wines imported in foreign vessels. As a barrel contains 48 bottles, the difference of 4*d.* on the barrel only makes a difference of one grano on the bottle.

In framing the proposed tariff, the principle of taxing the articles consumed by the rich at a higher rate than those consumed by the poor has been observed, so far as was consistent with the paramount consideration of simplifying the tariff, and abolishing unproductive duties.

It is proposed that the duty be entirely taken off 22 articles; viz. butter, candles, pigs, sheep and goats, asses, cheese, fossil coal, cocoa, coffee, firewood, flax, hams and tongues, hemp and tow, honey, treacle and molasses, manufactured goods, pepper and pimento, potatoes, rice, sugar, tea, tobacco, wax.

These 22 articles in 1836 produced a revenue of 3,313*l.* 2*s.* 5*d.*, that is, each article produced, on an average, about 150*l.* Deducting manufactured goods (which cannot properly be considered as one article, and which produced 1,297*l.* 10*s.* 6*d.*), the other 21 articles produced 2,015*l.* 11*s.* 11*d.*, that is, each article produced, on an average, nearly 96*l.*

The policy of abolishing the duties on articles of small consumption has been already acted on to a considerable extent by the Government. By the minute of 25 April 1835, the duties on 57 articles (besides an *ad valorem* duty of one per cent. on all non-enumerated articles) were abolished, leaving only 28 articles subject to duty.

The proposed scheme of duties on imports is estimated to produce a slight increase of revenue, in order to guard against the diminution of consumption which may be caused by the higher rates of duty. If, however, the consumption should not be much affected by the increase in the rates suggested, and if it should likewise be possible hereafter to reduce the expenditure of the Government, you are requested to consider whether it would, in that case, be preferable to reduce or abolish some of the duties on imports, or to abolish the quarantine and tonnage dues; the annual joint produce of which, upon the average of the two last years, is 6,511 *l.*

By abolishing all distinction of flags, by confining the duties, as much as possible, to articles imported for consumption, and perhaps by abolishing or greatly reducing all tonnage and quarantine dues, we should approximate, as nearly as circumstances will permit, to the object so much desired by all classes of the population, of making Valletta a free port. If the revenue of the island is to be principally derived from indirect duties on imports, this object cannot be attained so long as a long list of unproductive duties is levied for the sake of taxing luxuries. On the other hand, if, in order to make Valletta a free port, it should appear expedient to abandon the principle of raising a revenue on imports of general consumption, and to substitute direct internal taxes, you are requested to consider whether a tax on lands and houses, or a poll-tax (the only substitutes which appear practicable), are likely to be less burdensome to the people.

Finally, you are requested to state your opinion, whether you think it advisable for the Commissioners to consider the expediency of making any immediate changes in the mode of raising the revenue now required by the Government, before they have completed their examination of all the administrative and judicial establishments of the island, and shall be able to suggest a matured scheme for the permanent expenditure of the Government.

In order to enable the Committee to arrive at a practical conclusion with respect to any proposed modifications of the existing duties, the Commissioners subjoin an account of the public revenue and expenditure for 1836.

I have, &c.

(signed) *Thomas Tod*, Secretary.

PROPOSED Scheme of Custom Duties.

It is proposed to repeal all the laws of the island now in force with respect to the arrival and departure of merchant vessels, the mode of collecting duties on imports and importing vessels, the rates of the duties themselves, and the bonding of goods (with the exception of regulations relating to the quarantine department, and the dues paid by vessels in quarantine).

It is further proposed to consolidate (with amendments) in one law all the provisions on these subjects which it is expedient to preserve; and to substitute, for all existing duties on articles imported for consumption, the following duties:

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Report on Changes in the Duties on Imports.

Beer in hogsheads - - 12 *s.* per hogsh.
Ditto in bottles - - - 1 *s.* per doz.
Cattle, bullocks, horses, and mules - - - - 20 *s.* per head.
(The Quarantine dues to be abolished.)
Charcoal - - - - 6 *d.* per salm.
Grain:
Wheat - - - - 10 *s.* ditto.
Indian corn - - - 6 *s.* ditto.
Barley - - - - 4 *s.* ditto.
Saggina - - - - 3 *s.* ditto.
Manufactured grain - - 6 *s.* per cantar.
Oil (olive) - - - - 6 *d.* per caffiso.

Pulse and Seeds:

Beans, canary seeds, caravances, chick peas, hemp seed, kidney beans, lentils, linseed, lupins, peas and vetches - 2 *s.* per salm.
Carob-beans and cotton seeds 6 *d.* per cantar,
Spirits - - - - 22 *s.* per barrel.
Vinegar - - - - 2 *s.* ditto.
Wine (superior) - - - 11 *s.* ditto.
Wine (common) - - 2 *s.* ditto.

The strike measure to be used universally.

The tonnage dues to be as follows:
Vessels above 40 tons, for every ton, or any part thereof, 6 *d.*
A small duty to be levied on spirits manufactured in the island.
The dues for store-rent, &c. to be fixed at moderate rates.

Answer of the British Merchants.

Sir, Commercial Rooms, Valletta, Malta, 22 April 1837.

We have the honour to acknowledge the receipt of your letter of the 15th instant, acquainting us that His Majesty's Commissioners of Inquiry having recently had under their consideration the expediency of modifying the actual duties payable on goods imported into the island for consumption, are disposed to recommend to His Majesty's Government some changes in the rates of duty, and in the articles on which duty shall be payable, and that, with this object, they would wish us to consider, whether it be possible, and, if possible, expedient, to confine the revenue to be levied by taxation to duties on certain articles enumerated in the proposed scheme of custom duties annexed to your letter.

In reply to this communication, we have great pleasure in stating to you, for the information of the Commissioners, our unqualified approbation of the principle on which their proposed scheme is grounded, it being in fact the very same, the adoption of which we have always pressed upon the notice of Government, and it is highly satisfactory to find our views in this respect thus sanctioned by the approbation and recommendation of the Commissioners.

We would, however, at the same time, wish to observe, that the proposed duties can alone be justified on the alleged necessity of producing a revenue equal to that which is actually raised under the present system, and, as we are convinced that it will be found perfectly practicable to diminish the expenditure consistently with the due performance of the functions of Government, we would suggest the propriety of an annual revision of the proposed tariff, with a view to such future reduction in the rates of duty to be levied under its operation, as may hereafter be rendered practicable by a diminished expenditure.

We do not, however, apprehend, that the proposed duties are so high as either to occasion any material diminution of consumption, or to give much encouragement to smuggling; but it will nevertheless be incumbent upon the Custom-house to use due diligence for its prevention, which will be the more practicable, as its attention will be confined to a few articles chiefly of large volume, and therefore more difficult to be introduced in contraband.

As by the proposed scheme a revenue will be raised at least equal to that which is now produced under the operation of the existing tariffs A, C, D, we would wish to press upon the Commissioners the expediency of abolishing the quarantine dues now levied on goods and shipping; and concurring, as we do, with them in thinking that but one rate of tonnage duty should in future be levied, we would include ships in ballast performing quarantine, and entirely exempt vessels built in Malta from the payment of any tonnage duty.

With regard to the expediency of abandoning entirely the principle of raising a revenue by the imposition of indirect duties on imports (thereby approximating, as nearly as possible, to the desirable object of making Valletta a free port), and the substitution in their stead of a poll-tax or direct internal taxes on landed property; on which point the Commissioners are desirous of knowing our opinion, and also as to which mode of taxation would be less burdensome to the people; we are inclined to think that it may be better to adhere to indirect taxation, to which the inhabitants have been always accustomed, rather than to introduce a novel system of direct taxation, which should only be resorted to in case a sufficient revenue cannot be derived from indirect taxes on articles of general consumption.

The only articles which we would wish to exclude from those enumerated in the proposed scheme, are canary seed, hemp seed and linseed, the duty on which must be trifling; and it is desirable to encourage their introduction, being articles in frequent demand for exportation.

Having thus adverted to such points in your letter as called for direct notice, it only remains for us to recommend the immediate adoption of the proposed scheme of custom duties (with the alterations suggested), in preference to postponing its enactment until the

Commissioners

Commissioners shall have completed their inquiries, and may be able to suggest a matured scheme for the permanent expenditure of the Government.

We have, &c.
(signed) *Sam. Christian,*
Chairman of a General Meeting of British Merchants.

Thomas Tod, Esq.
Secretary to the Commissioners of Inquiry
into the Affairs of Malta.

ANSWER of the COMMITTEE of MALTESE MERCHANTS.

(Translation.)

Sir, Valletta, 28 April 1837.

THE committee of Maltese merchants have the honour to acknowledge the receipt of your letter of the 15th instant, in which you inform them that His Majesty's Commissioners having had under their consideration the expediency of modifying the actual duties payable on goods imported into the island for consumption, are disposed to recommend to His Majesty's Government some changes in the rates of duty, and in the articles on which the duties shall be payable.

Having annexed to the above-mentioned letter the scheme of custom duties now proposed, the Commissioners also subjoin some observations, concerning which they are desirous of ascertaining the opinion of the committee.

The committee accordingly beg you to assure the Commissioners that they readily assent to the principle on which the new scheme is founded, being perfectly convinced that the revenue of this island cannot be raised by any other means than by taxes on articles imported for consumption. Every other kind of taxation may indeed be regarded as ill adapted to the circumstances of the island, since it would be new to the inhabitants, and would therefore be to them (and perhaps not unreasonably) distasteful.

The committee abstain from any observation whatsoever on the rates of duties fixed by the new scheme, since it appears from your letter that these rates will probably undergo some modification at the termination of the inquiry, when the Commissioners will be enabled to determine what is the nature and amount of the reduction which can be effected in the expenditure of the Government. For the present it appears sufficient to consider the policy of the scheme itself, which, while it is well fitted to secure the revenue of the Government, and to facilitate the collection of it, seems, on the other hand, calculated to procure to the commerce and the population of the island the advantages which may be expected from rendering Valletta a free port.

The committee, however, take the liberty of submitting to the consideration of His Majesty's Commissioners, with reference to the articles upon which it is proposed to levy duties, that, with a view of more effectually maintaining the principle of simplicity, it might be expedient to expunge from the list the following articles, which appear under the head of pulse, canary seed, hempseed, linseed, and lupins; articles which are generally only imported for transit, and of which the consumption is so extremely small, that the revenue would not be sensibly affected by allowing them to be imported free of duty.

The committee also venture to recommend the omission of the article carob-beans. A part of those imported are consumed by the most miserable portion of the inhabitants; the exemption of them from duty would, therefore, be in a high degree popular. To this it may be objected that the carob-beans are in part imported for the consumption of cattle, and that if they were left entirely untaxed, they might be imported in greater quantity, so as to diminish the consumption of pulse to such a degree as to affect the revenue of the island. This, however, the committee regard as impossible, since according to all the information they have been able to collect, it appears certain that the actual consumption cannot be much increased; and reckoning on an import of 10,000 quintals, (the quantity imported last year,) at a duty of 6 *d.* a quintal, the utmost which the revenue, according to the new scheme, could lose, would be 250 *l.*; a sum which is, moreover, more than compensated by the increase in the duty on charcoal, an article recently relieved, to the great satisfaction of the public, from the discriminating duty.

Having also considered that the amount of the revenue according to the proposed scheme, when compared with the actual revenue, promises to be such as immediately to allow of the abolition of all quarantine dues upon goods or vessels, the committee take the liberty of recommending to the Commissioners the abolition of those dues, leaving the vessels which enter this port (under the circumstances described or intended by the proclamation No. III., 27th April 1833,) subject only to a moderate tonnage-due, and even excepting from the payment of all tonnage-dues whatsoever all vessels built in Malta.

With relation to the above-mentioned quarantine dues, the committee beg His Majesty's Commissioners to observe, that in recommending generally the abolition of them, they do not intend that a similar advantage should be extended to any vessels or merchandize that may arrive here infected with contagious diseases; as it is sufficient to grant them the accommodation of the lazaretto, it does not appear just that the expenses attendant on their stay there should be thrown upon the public. In such cases, therefore, it is desirable that the provisions of the existing tariff (A.) should remain in force; exception, however, being made, as before, in favour of vessels built in this island.

The committee avail themselves of the present occasion respectfully to submit to His

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Report on Changes in the Duties on Imports.

Majesty's Commissioners that an opinion is generally entertained that the present lazaretto is not sufficient for cases of contagion, and that consequently some improvement in it is desirable.

As, moreover, it is in contemplation to repeal all the customs' laws now in force, and to consolidate them into a single law, the committee take the liberty of recommending to the Commissioners, that whatever concerns the bonding of goods subject to duty, according to the new scheme, may be arranged in a manner to facilitate as much as possible the transactions of the merchants, with regard to warehouse dues, and to all other particulars.

And here the committee cannot refrain from expressing their earnest desire that the Commissioners would endeavour to prevail on His Majesty's Government to permit cattle and other articles consumed by His Majesty's troops and fleet to be subject from henceforward to duties without the drawback which has hitherto been granted. This, it is believed, would be a measure of the greatest advantage to the public revenue.

The committee of Maltese merchants would have been glad had it been practicable for the Commissioners to defer the formation of the new scheme of duties till they had come to the consideration of the extent and nature of the reductions which it may be possible to make in the actual expenditure of the Government.

Nevertheless, considering that experience will easily convince all persons of the expediency of the scheme itself, and of the advantages which will result from the establishment of a free port, they request His Majesty's Commissioners that it may be brought into operation with as little delay as possible; in order that the Commissioners may be able to observe its practical working, and to suggest fit remedies in case any should be found necessary.

The committee are perfectly convinced that when His Majesty's Commissioners shall proceed to the examination of the actual expenditure of the Government, they will perceive that various reductions may be made, either by the diminution of excessive salaries, or by the abolition of useless places or departments. Thus it has been found that the almost total suppression of the Grain Department not only puts an end to the annual loss which the Government had for a considerable time suffered by its speculations, but at the same time opens a new field to the profitable employment of the capitals engaged in the corn trade.

The committee entertain no doubt that the Commissioners will not only readily find means for the payment of more adequate salaries to the professors of the University, and for the other objects specified in your letter, but that they will also find it practicable to make some reductions in the rates of duties fixed by the new tariff.

And as it may be hoped that, after the lapse of some time, the expenditure of the Government will be, moreover, sensibly diminished, it will also be expedient gradually to reduce the duties in proportion to the reduction in the expenditure.

The committee of Maltese merchants, desirous in common with all their fellow-citizens, to have a local Government liberally conducted, entertain the confident hope that this may easily be effected by means of the regular formation of a national body.

The Committee in expressing to His Majesty's Commissioners their gratitude for the anxiety they have hitherto shown for the interests of this island in general, entertain a well-founded confidence that they will display equal zeal in the consideration of the remaining subjects of inquiry; and that thus, according to the gracious wishes of His Majesty, the future prosperity of this portion of His Majesty's faithful subjects may be established on a secure basis.

I have, &c.
(signed) *Fco. Xavo. Bugeja,*
President of the Committee of Maltese Merchants.

— No. 7. —

Copy of a DESPATCH from Major-General Sir *H. F. Bouverie,* K.C.B., to Lord *Glenelg.*

(No. 61.)

No 7.

Sir H. F. Bouverie, K. C. B., to Lord Glenelg. 29 April 1837.

My Lord, Malta, 29 April 1837.

I HAVE the honour to inform your Lordship, that the Commissioners of Inquiry have communicated to me their intention of bringing under your Lordship's consideration, by the present packet, the changes which they recommend in the present tariffs of duties on imports.

On this subject they had previously furnished me with a copy of a letter, dated the 16th of the present month, from their secretary to the chairman of the British merchants in this island, in which the scheme of the Commissioners is fully detailed, and, as I am aware that another copy of the same letter will be transmitted by the Commissioners themselves to your Lordship, I beg to be allowed to refer to it, instead of entering myself into explanation in respect to what the Commissioners propose in this important matter.

The main feature of the scheme is to continue the present system of raising an adequate revenue by duties on imports, instead of having recourse to direct internal taxation on lands and houses, or a poll-tax; and I concur with the

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Sir H. F. Bouverie, to Lord Glenelg, K.C.B. 29 April 1837.

Commissioners in opinion, that the proposed mode is by far the most eligible, and the less burdensome to the people.

The change in the tariffs suggested by the Commissioners is to exempt from duties articles for transit, and then to strike out unproductive imports, leaving those only of general consumption, and raising the duty on most of them; the duty on grain imported to be a fixed instead of a fluctuating duty, but averaging a lower rate than that paid of late years, under the operation of the graduated scale.

After having given the project much consideration, I see no reason to apprehend that the collection of duties under the tariff proposed by the Commissioners will be attended by any new difficulties, or that the amount of revenue will prove less than that now obtained; on the contrary, some little increase may be reasonably expected. Some doubt may be entertained, however, on one particular point, the facility of collecting the fixed rate of duty on grain, should the price of that article become high; but even then the Government would not be placed in a worse situation, on the score of revenue, than it would have found itself under the graduated scale, by the operation of which the rates of the import consumption duties fell off as the price of wheat rose in the market, and all duty ceased when that price reached a certain point.

I have, &c.
(signed) *H. F. Bouverie.*

— No. 8. —

Copy of a DESPATCH from the Commissioners to Lord *Glenelg.*

No. 8.
Commissioners to Lord Glenelg. 5 May 1837.

My Lord, Malta, 5 May 1837.

The annexed paper, containing suggestions for the exemption of certain articles produced in Malta from duty in England, has been transmitted to us by the Governor, with reference to our plan of a new tariff. We confess that we are not satisfied of the expediency of commercial privileges of this kind; but we have no hesitation in expressing our opinion, that if such exceptions are to be made in favour of any dependency of England, they ought to be made in favour of Malta, on account of the narrowness of its resources and the poverty of its population, and the very small proportion which Maltese imports would bear to the quantity of imports from other countries. We will likewise state that the principle has been already admitted, in the case of cotton-wool, by the English Government. On the 17th February 1826, the Lieutenant-governor issued a notice that His Majesty's Government, with a view to encourage the cultivation of cotton-wool in this island, permits the importation of cotton-wool into the United Kingdom of Great Britain and Ireland free of all duty whatever, upon the direct importation of that article from Malta, and upon proof that it is *bonâ fide* the growth of this island.

We have, &c.
(signed) *John Austin.*
George C. Lewis.

P.S. We beg leave to add, that we pronounce no opinion upon the correctness of the statements, or the soundness of the arguments, contained in the following

PAPER:

It is proposed to abolish *in toto* the existing duties of consumption at Malta upon all articles the produce or manufacture of the United Kingdom and of the British Colonies; also upon tea. The only exceptions are, beer, British spirits, and Colonial rum; the amount of duty, however, which will probably be levied upon these articles is estimated to fall short of 1,000 *l.* per annum.

Every facility being thus given to the introduction of British and Colonial produce or manufactures, it is hoped that the British Government, taking into consideration local peculiarities, and influenced by the principle of reciprocity, will be induced to consent to the free admission into the United Kingdom of the hereinafter-mentioned articles, the produce or manufacture of these possessions, which, it is to be particularly remarked, are European.

The remission of the existing duties on these articles, though absolutely nothing as affecting either the British revenue or British interests generally, would prove of substantial benefit to Malta. It would, moreover, manifest such a marked desire to improve the condition of its overgrown and indigent population as could not fail to be duly appreciated, and of producing the happiest influence on the public mind.

It may be urged, that were the point conceded, it might be quoted in favour of other

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British possessions, with a view to their obtaining privileges of a similar nature; but the peculiarly distinctive character of Malta forbids any such comparison.

An island so insignificant in size, and so poor in resources, as to be mainly indebted for its daily supplies of the first necessaries of life to the neighbouring countries, can never be an object of jealousy, in a commercial point of view, to any country whatsoever; for nearly all the productions of its scanty soil and of the industry of its inhabitants are consumed on the spot, whilst the quantities of exportable produce or manufactures are so comparatively trifling, that they can never influence, much less prejudice, any market of the least note.

Nor, should the desired privilege be granted, is the remotest apprehension to be entertained of its being abused; for the identity of the article to be exported may be most clearly established, and unimpeachable certificates of origin (signed by the competent authorities) given in all cases.

1. Aniseed.
2. Bones of cattle and other animals, and of fish.
3. Cummin seed.
4. Cotton-wool.
5. Cotton yarn of native cotton-wool, spun by hand.
6. Cotton manufactures.
7. Embroidered muslin or cambric.
8. Fruits, raw or preserved.
9. Gold and silver, wrought.
10. Glass, broken, paying the same excise duty as is levied in England.
11. Honey.
12. Hides, hoofs and horns of cattle, killed in the island.
13. Iron, old broken, or old cast-iron.
14. Lace, made by hand.
15. Marble, wrought or unwrought.
16. Maccaroni.
17. Oranges, lemons, and limes.
18. Roll brimstone, paying the same duty as is levied in England on unmanufactured brimstone.
19. Rags.
20. Squills, dried or otherwise.
21. Straw and reed hats.
22. Segars, paying the same duty as is levied in England on unmanufactured tobacco.
23. Soap, paying the same excise duty as is levied in England.
24. Stone, wrought or unwrought.
25. Vermicelli.
26. Silk, raw or manufactured.

— No. 9. —

COPY of a DESPATCH from Lord *Glenelg* to Major-general Sir *H. F. Bouverie*, K.C.B.

(No. 129.)

Sir, Downing-street, 24 August 1837.

No. 9.
Lord Glenelg to Sir H. F. Bouverie, K.C.B.
24 August 1837.

WITH reference to my despatch, No. 110, of the 30th June, on the Report of the Commissioners of Inquiry at Malta, on the expediency of making certain changes in the duties levied on imports into that island, I have now to convey to you the final instructions of Her Majesty's Government on that subject.

Colonial Office, 19 June 1837.
Treasury, 29 July 1837.
Colonial Office, 19 June 1837.
Board of Trade, 2 August 1837.

I have consulted the Lords Commissioners of the Treasury and the Lords of the Committee of Privy Council for Trade on the proposals of the Commissioners, and I enclose, for your information, the correspondence which has passed between those departments and this office. You will perceive that those Boards concur in the propriety of giving effect to the advice of the Commissioners. My own judgment entirely coincides with theirs.

It only remains, therefore, that you should, with the least practicable delay, bring under the consideration of the Legislative Council of Malta the drafts of such ordinances as may be necessary for this purpose; and to those ordinances, when adopted by the Council, effect may be given at once, without awaiting Her Majesty's previous confirmation of them. It will be for the Council to consider what is the date from which the proposed alteration in the tariff may most conveniently take effect.

My duty on this occasion is thus reduced within a very narrow compass; but I cannot perform it without expressing my satisfaction in observing the unanimity with which the views of the Commissioners have been adopted by the different departments of Her Majesty's Government in this country, and, as I have reason to suppose, by the persons most immediately and deeply interested in the commercial prosperity of Malta. In this, as in all similar cases, we must indeed be prepared to encounter the opposition of some parties who will be the immediate sufferers from the proposed change in the tariff; but believing that the plan proceeds on sound principles, and that it will promote the general welfare of the island, you will be prepared to meet any remonstrances which it may provoke with a firm adherence to the substance of the scheme, though with a respectful attention to the arguments which may be urged against any of its subordinate provisions.

I have, &c.
(signed) *Glenelg.*

No. 9.

Sir, Downing-street, 19 June 1837.

By the direction of Lord Glenelg I herewith transmit to you, for the information of the Lords Commissioners of Her Majesty's Treasury, the copy of a Report from Her Majesty's Commissioners of Inquiry at Malta respecting certain changes which they propose to make in the duties upon goods imported into that island. 4 May 1837.

The questions proposed for decision in this Report involve various considerations, fiscal and commercial, which Lord Glenelg regards as properly falling rather within the cognizance of the Lords of the Treasury and the Lords of the Committee of Privy Council for Trade, than within his own. As it is, however, impossible to detach these topics from each other, or to consider them apart from their bearing upon the internal economy of the island, and the administration of its local government, Lord Glenelg would propose that if either the Board of Treasury or the Board of Trade should take a different view of the practical course to be pursued from that which has occurred to himself, the question should be reserved for discussion between him and the Chancellor of the Exchequer and the President of the Board of Trade, with a view to a concurrent and unanimous decision. Lord Glenelg has therefore directed me to send a copy of the Report, with a counterpart of this letter, to the secretary to the Board of Trade, for the information of the Lords of that committee. Lord Glenelg is disposed to subscribe to the recommendations of the Malta Commissioners, so far as respects the substitution of a fixed duty on imported corn, for the fluctuating duties at present levied on that article. It appears to his Lordship that the Commissioners have been successful in their endeavours to show that the graduated scale is inconvenient and injurious, both to the importers and to the consumers of grain, and that considered as a protection against a dangerous enhancement of the price in times of actual scarcity, it is superfluous.

For the reasons assigned by the Commissioners, Lord Glenelg is further of opinion that it is necessary that the public expenditure of Malta should be defrayed by duties of import raised on articles of primary necessity, and he is aware of no valid objection to the rate at which they propose to fix the duty on imported corn.

With regard to the proposed duties on the other articles enumerated in the plan of a tariff subjoined to the Report, Lord Glenelg does not find in that document, nor is he able to supply from other sources, the grounds on which the calculations proceed. It is however to be observed, that in the correspondence with the committee of merchants at Valletta the acquiescence of the merchants in the views of the Commissioners as to the productiveness of these duties, and as to their general adaptation to the circumstances of the island, was distinctly ascertained. It appears to Lord Glenelg, therefore, that the proposals might be safely adopted in reliance on the judgment of the persons who possess at once the most direct interest, and the best means of information on the subject.

The same remarks apply to the proposed tonnage duty of 6 *d.* per ton on vessels of every class, but the plan of abolishing discriminating duties on all vessels, whatever may be their national character, would, as Lord Glenelg apprehends, be at variance with the principles on which Her Majesty in Council has hitherto exercised the powers vested in Her by Parliament for the regulation of the trade of the British colonies with foreign states, because it would admit ships of every country on the footing of national vessels, whether the reciprocal advantage were granted or refused to British shipping in the ports of those countries. The suggested exemption of vessels of a small class built in the island from all duties would, as Lord Glenelg also apprehends, be at variance with the actual conventions, or at least with the diplomatic arrangements, into which Her Majesty has entered with various foreign states.

As much solicitude appears to exist on the subject of the accompanying Report amongst the merchants connected with the island, Lord Glenelg would beg to be made acquainted with the opinions of the Lords of the Treasury on the subjects to which it refers, at as early a period as may suit their Lordships' convenience.

I am, &c.

A. Y. Spearman, Esq. (signed) *James Stephen.*
&c. &c. &c.

Sir, Treasury Chambers, 29 July 1837.

The Lords Commissioners of Her Majesty's Treasury having again had under their consideration your letter of the 19th ulto., transmitting by direction of Lord Glenelg, the copy of a Report from Her Majesty's Commissioners of Inquiry at Malta, relating to the duties on goods imported into that island, and having communicated with the Commissioners of Customs thereupon, I am commanded to transmit to you, to be laid before Lord Glenelg, a copy of the letter addressed to the Commissioners of Customs on the subject, together with a copy of their reply, and I am to request that in submitting them to his Lordship, you will state that under the existing circumstances of the island of Malta, it appears to my Lords, that the proposed continuance of consumption duties on articles of primary necessity, in order to raise the requisite funds for defraying the expenditure of the colony, is unavoidable; and that they concur in opinion with Lord Glenelg, that it would be advisable to adopt the recommendation of the Malta Commissioners, for the substitution of a fixed rate of duty on grain for the fluctuating rates levied under the graduated scale, by which the consumption duties on grain are now regulated in that island.

No. 9.
Lord Glenelg to Sir H. F. Bouverie, K. C. B., 19 June 1837.

I am at the same time to request you will communicate to Lord Glenelg, that my Lords do not object to the other customs duties or the tonnage duty specified in the proposed tariff, nor to the exemption from duty which would result from the adoption of that tariff, and state with reference to the remarks in your letter of the 19th ulto., respecting the abolition of the discriminating duties on foreign vessels, and imports, that as it appears from the Report of the Commissioners of Customs that the operation of the tariff in this respect would not be in any manner repugnant to the provisions of the British laws in regard to the trade of Malta as a British possession, and as it is considered to be desirable that every reasonable facility should be given for carrying on an entrepôt trade at the island, my Lords are not disposed to object to this part of the proposed arrangements, provided there is nothing therein repugnant to any existing engagements with foreign powers.

Their Lordships are desirous, however, of pointing out to Lord Glenelg, that as many of the articles it is proposed to exempt from consumption duty on the ground of the very limited demand for them by the inhabitants are of such description as might otherwise very properly be taxed for the purpose of raising a revenue, it will, my Lords conceive, be desirable that regular entries of all importations should continue to be made, notwithstanding the present exemptions from duty, in order that it may be ascertained whether any such increased consumption takes place as may hereafter render it advisable that they should be subjected to duty.

With respect to the remarks of the Malta Commissioners regarding the adoption of a maximum price in which consumption duty on grain should cease to be levied, and the alternative they propose of leaving any remission of the duty to the discretion of the local government, I am commanded to state, that while my Lords concur in the view taken by the Commissioners of the inexpediency of making the cessation of the duty contingent on any fixed maximum price, they conceive it will be necessary that the Governor should be expressly cautioned against having recourse to any discretionary remission of the duties, unless on such occasions of emergency as might justify the issue of orders for dispensing with the observance of the ordinary laws on the subject of the consumption duty, and the admission of the grain duty fee.

I am, &c.
(signed) *A. Y. Spearman.*

James Stephen, Esq.
&c. &c. &c.

Gentlemen, Treasury Chambers, 13 July 1837.

The Lords Commissioners of Her Majesty's Treasury having had under their consideration a Report from Her Majesty's Commissioners of Inquiry at Malta, respecting certain changes which they propose to make in the duties upon goods imported into that island, together with the accompanying documents and the proposed tariff of customs duties, I am commanded by their Lordships to transmit to you a copy of the said tariff of duties proposed to be levied on articles imported into the island of Malta for consumption, and on shipping entering the ports of that island, together with extract of that part of the Report of the Commissioners of Inquiry which explains the principle upon which this proposition is submitted to Her Majesty's Government, and I am at the same time to observe to you that it is proposed that all articles not enumerated in the tariff, including manufactured goods, should be admitted duty free, and that the import and tonnage duties specified in the tariff should apply both to British and to foreign shipping and imports, without discrimination in any respect, except as to the exemption from tonnage duties of Maltese-built vessels not exceeding 40 tons burthen, upon which my Lords desire that you will repeat to this Board whether these propositions appear to you to be in accordance with the provisions of the British laws relating to the trade and navigation of the empire, or of that possession in particular; and also that their Lordships wish to receive such report with the least possible delay.

I am, &c.
(signed) *A. Y. Spearman.*

To the Commissioners of Customs.

May it please your Lordships,

Mr. Spearman having by his letter, dated the 13th instant, signified that your Lordships having had under consideration a Report from Her Majesty's Commissioners of Inquiry at Malta, respecting certain changes which they propose to make in the duties upon goods imported into the island, together with a proposed tariff of customs duties, he (Mr. Spearman) had been commanded by your Lordships to transmit to us a copy of the said tariff of duties proposed to be levied on articles imported into Malta for consumption, and on shipping entering the ports of that island, together with an extract from the Report of the Commissioners of Inquiry upon the subject, and to desire that we would report to your Lordships whether these propositions appear to us to be in accordance with the provisions of the British laws relating to the trade and navigation of the empire.

In obedience to your Lordships' commands, we report:

That the proposed tariff of customs duties and net charges for the island of Malta would not appear to be repugnant to the provisions of the laws relating to the trade and navigation of the empire, or of Malta in particular.

(signed) *R. B. Dean.*
H. Freeling.
W. Cust.
Culling C. Smith.

Custom-house, 18 July 1837.

No. 9.

Sir, Downing-street, 19 June 1837.

I am directed by Lord Glenelg to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade and Plantations, the copy of a Report from Her Majesty's Commissioners of Inquiry at Malta, respecting certain changes which they propose to make in the duties upon goods imported into the island, together with the copy of a letter which his Lordship has desired me to address to the Secretary of the Lords Commissioners of the Treasury on that subject.

4 May 1837.

June 1837.

I have, &c.

D. Le Marchant, Esq., &c. &c. &c.

(signed) *James Stephen.*

Office of Committee of Privy Council for Trade,

Sir, Whitehall, 2 August 1837.

The Lords of the Committee of Privy Council for Trade have had under their consideration the copy of a Report from the Commissioners of Inquiry at Malta, transmitted in your letter of the 19th of June, containing a tariff of duties of importation proposed to be established in that island. Their Lordships have also had before them the copy of a letter of the same date and upon the same subject, which you had been directed by Lord Glenelg to write to Mr. Spearman, for the information of the Lords of the Treasury.

The principle upon which this tariff is constructed has long had the approbation of the Lords of this Committee, who believe that the island of Malta cannot, for its own benefit, or for that of the British community at large, be rendered serviceable in commercial affairs in any way so effectual as by qualifying it to be made an entrepôt for the transit trade of the Mediterranean. It had become manifest that the facilities of the warehousing system did not confer sufficient freedom on the necessary movements of such a trade; and it also appeared probable that the object in view could be attained only by releasing from all formalities and restraints, as well as from all pecuniary charges, those commodities which from their qualities were likely to become the subjects of interchange in that part of the world. It appears to their Lordships that the tariff now submitted does not include any article of this description; and I am, accordingly, to request that you will inform Lord Glenelg that they recommend its adoption.

The Lords of this Committee are further of opinion that the proposed tonnage duty of 6 *d.* the ton on shipping, whether British, foreign or insular, may be properly imposed; but they hold that this duty must be applicable alike to all classes and descriptions of vessels, and their Lordships entirely concur with Lord Glenelg in objecting to a suggested exemption in favour of certain small vessels belonging to the island.

I am here, however, to advert to an observation relating to such duties which is contained in your letter to Mr. Spearman. From this it appears that Lord Glenelg is apprehensive lest the enactment of an uniform duty on British and foreign ships should interfere with the regulations of the law which are to determine the conditions upon which the ships of particular countries are to be admitted to trade with our possessions abroad.

The Lords of this Committee are of opinion that no difficulty of this nature will arise, since the distinction made, under the provisions of the law alluded to, between the respective ships of different countries, is not effected by discriminating duties, but consists in total exclusion or in unrestricted admission. Their Lordships are aware that the law does not preclude the adoption of such duties; but as it contemplates equality to our own shipping in the favoured country, it has been the constant practice, on our side, to make such equality a part of the favour granted.

I am, &c.

James Stephen, Esq., &c. &c. &c.

(signed) *J. D. Hume.*

— No. 10. —

REPORT ON MALTA GOVERNMENT CHARITIES.

No. 10.
Report on Malta Government Charities.

My Lord, Malta, 4 May 1837.

Mr. Thornton, the Auditor-general, has accompanied his annual report on the accounts for 1836 with a letter to Sir Frederick Hankey (dated 16th March 1837), in which is contained an elaborate comparison of the expenses of the Government charities for the seven years from 1830 to 1836 inclusive. He concludes this letter with the following remarks:

"It has thus been shown, that in the course of six years the expense of the Government charitable institutions has increased at the rate of 3,130*l.* 5*s.* 3½*d.*, which is between 25 and 26 per cent. upon the amount defrayed in 1830.

"This increase of charge having been concurrent with diminished taxation, has impaired the resources of the local treasury for the general service of the Government, viewed distinctly from that of the charitable institutions.

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"It is therefore respectfully submitted, whether the circumstances now adduced for his Excellency's consideration are not of a nature to demand that an inquiry be instituted, preliminary to the adoption of measures which may restrain the expenditure of the charitable institutions within limits calculated not only to preserve from encroachment those funds which are devoted to the other necessary public services of the colony, but to prevent the necessity of recourse being had to His Majesty's Treasury, in order to make good any deficiency in those means which may result from such cause.

Any proposals as to a better arrangement of details must depend upon the nature of his Excellency's decision."

Your Lordship is aware, from the example of England, how strong is the tendency of legal relief of the poor to become every year a heavier burden to the public, and how important it is to check this tendency at as early a period as possible. As, therefore, the subject has been brought by Mr. Thornton so pointedly to the notice of the Governor, and as it concerns nearly a sixth of the entire expenditure of the Government, we have thought that we should render a useful service to the Government of the island by laying at once before your Lordship the result of our inquiries into the Government charities, and our opinions as to the best mode of administering them.

The charities supported and administered, or simply administered, by the Government of Malta, are as follows:

1. Medical Charities.—Expense in 1836, 6,701 *l.* 3 *s.* 7 *d.*

The Civil Hospitals of Valletta.—The average number of patients in the civil hospitals at any one time in 1836 was 403. The expense of the medical charities, as compared with the revenue of the island, is very considerable; and we particularly directed our attention to the possibility of making some reduction in it. But since it is impossible to obtain the services of medical men gratuitously (as in England and other countries), we fear that the maintenance of an hospital must always form a large item in the charitable expenses of the Government of Malta. At present, however, the cost of the hospital is in some degree increased unnecessarily by a practice which prevails of allowing a considerable number of beds to be occupied by old and infirm persons not requiring medical treatment. Dr. Speranza, the principal physician of the hospital, stated to us that out of about 200 beds for medical cases, from 70 to 80 were occupied by persons of this description. It is manifestly bad economy to keep a hospital with an expensive medical establishment, and to use it in part as a mere asylum for the poor.

Besides the civil hospitals of Valletta, there is also a small hospital at Cività Vecchia (called the Hospital of S^{to} Spirito), and another small hospital in Gozo. A dispensary is attached to the civil hospitals of Valletta; and there is besides a small payment to some medical men for visiting the poor (called Medici dei Poveri).

2. *Lunatic Asylum.*—The present accommodation for the lunatics is said to be insufficient. The number in confinement is about 120.

3. *Ospizio for Old Men and Women.*—After the hospitals, this is the most expensive charitable institution maintained by the Government. In the last year the expense of it (including the Lunatic Asylum) was 3,894 *l.* 8 *s.* 7¼ *d.*; and the number of inmates was about 720. The only persons admitted are old men and women; but at present, on account of the insufficiency of the prison, the female convicts, to the number of 28, are confined in it. The inmates of the Ospizio have an unlimited power of seeing their friends and of going out of the house. They are not, however, allowed to absent themselves for more than three or four days at a time. When they go out for the day they are permitted to take with them their daily allowance of bread, which is cut into four parts to prevent them from selling it. Scarcely any work is done in the Ospizio; the majority of the inmates are, in fact, unfit for work. The Ospizio, as at present constituted, may be considered as a house where a number of aged persons are lodged, fed. and clothed at the public cost.

4. *House of Industry.*—The House of Industry is an establishment for the maintenance and instruction of girls between the ages of 10 and 19. Many of the girls are orphans, or have lost their fathers. They are instructed in sewing, embroidering and other trades. Their number in November 1836 was 243. The expense of the establishment in the same year was 1,476 *l.* 6 *s.* 8 *d.* The annual expense of the House of Industry to the Government is, however, only

500 *l.*,

500 *l.*, the remainder is derived from endowments appropriated to this purpose and from a contribution by the Monte di Pietà.

5. Connected with the House of Industry is a *Foundling Hospital.*

In November 1836 the number of foundlings belonging to this establishment was as follows:

Foundlings at nurse or in charge - - - - - -	248
Foundlings within the house - - - - - -	22
Total - -	270

The sum allowed by the Government for the maintenance of this institution is 400 *l.* a year, and house-room.

The following is an account of the mortality of the infants received into the Foundling Hospital in the last four years.

Years - -	1833.	1834.	1835.	1836.	Total.
Entered -	163	125	149	160	597
Died - -	135	112	99	132	478

The above statement of deaths includes all the children on the books of the Foundling Hospital; but most of the deaths occur within the first 12 months after the admission of the infants.

In consequence of this large mortality, Sir Henry Bouverie, shortly after his arrival in the island as Governor, directed a Report on the state of the Foundling Hospital to be made by the managing committee.

The committee, in their Report, satisfactorily account for the large mortality of the infants, partly by those causes which are inherent in the very nature of a foundling hospital, and partly by the scantiness of the funds allowed for its maintenance. "Unfortunately (they say) motives of economy have always interfered with the wishes of the committee to allot a separate nurse to each infant. The committee have been compelled, therefore, in many instances, in consequence of their limited means, to allot to one nurse two or three infants at a time; and there have been occasions when they were obliged, from the unusual number of foundlings suddenly brought into the house, and the difficulty of obtaining extra nurses at a moment's notice, to give one nurse as many as four infants to attend and suckle."

Accordingly, the committee state their opinion, "that not only the sum of 400 *l.* is insufficient, but that more than double that sum would be required (if the institution is to be maintained at all) to enable them to conduct it with credit to the Government, and to fulfil faithfully the object for which such an establishment is founded."

6. The Government likewise makes a distribution of alms, which are paid monthly. In 1836 the alms so distributed amounted to 3738 *l.* 6 *s.* 8½ *d.* Every applicant is examined by the committee of charitable institutions (which sits for this purpose once a fortnight), and relief is granted according to the circumstances of the case, and the funds at the disposal of the committee. The relief granted usually varies from 1 *s.* to 5 *s.* a month. Some of the applicants are visited at their houses; but on the whole this distribution of Government alms scarcely differs from the ordinary form of out-door relief of the poor in England, before the recent change in the poor laws.

Hitherto the committee has been accustomed to pay from the sum allowed for alms 220 *l.* a year to two charities, called the Ladies' Charitable Society and the Ladies' Soup Society. We understand, however, that for the future these payments are to be discontinued.

7. Another charitable institution, which, though supported by an endowment of lands, may be considered as under the control of the Government, is the *Monte di Pietà.*

The Monte di Pietà is a pawnbroking establishment, which has by law a monopoly of the trade of lending on pledges. It is managed by a committee, the members of which are appointed by the Governor, and discharge their offices without salary. This committee make rules for the guidance of the establishment, and also preside over the details of the business. The rate of interest on

all loans upon pawns is 6 per cent. a year, without distinction either of the amount of the loans, or of the articles on which they are made. The committee likewise administer the landed property of the institution, the gross rents of which amounted to 6,708 *l.* in the four years 1833 to 1836; that is, on an average, to 1,677 *l.* a year. The same committee likewise administer the property belonging to the Hospitalof Sto. Spirito, and to some private charities which have been appropriated to the support of the House of Industry.

8. The Government contributes 350 *l.* a year towards the support of two schools for the poor, of which one is in Valletta, another in Burmola (a part of the town lying on the opposite side of the great harbour). The chief of these schools is that in Valletta, which was maintained for six years from its first establishment by private subscriptions. In 1825, however, in consequence of a diminution in the subscriptions, the Government gave an annual subsidy of 125 *l.*, which in 1834, in consequence of a further diminution, was increased to 250 *l.* The present expense of this school is about 300 *l.* a year, the remaining 50 *l.* being derived from private subscriptions. This school is now managed by a committee elected in 1832 by the subscribers; the girls' school, which forms a part of it, is more immediately superintended by a committee of ladies appointed in the same manner.

We will now state the authorities by which these several charities (with the exception of the Monte di Pietà and the schools) are administered.

By a minute of 15th January 1816, Sir Thomas Maitland, with the view of simplifying and systematizing the administration of the Government charities, abolished the Board of Commissaries for the Hospital, the Board of Commissaries for the Ospizio, and the department of the Grand Almoner, and substituted for these several authorities a committee called the Committee of the Charitable Institutions. Certain members of this committee were more immediately charged with the superintendence in question, under the name of the Permanent Committee of the Charitable Institutions; and by this body (since altered by the Government notice of 10th November 1830) the Government charities placed under their management have been, in fact, administered, as the other members of the committee have never acted.

When the House of Industry was established by Lord Hastings in 1824, it was placed under a separate committee (*see* Minutes of 26th August and 1st September 1824), which has been since modified by the Government notice of 31st December 1832. By an order of Government, of the 28th December 1832, the Foundling Hospital was transferred from the building of the Ospizio to that of the House of Industry, and was at the same time placed under the management of the Committee of the House of Industry.

The administration of the Government charities, therefore, is now distributed thus:—

Permanent Committee of Charitable Institutions.	Medical Charities of Malta; Lunatic Asylum; Ospizio for the aged; Distribution of monthly alms.
Committee of the House of Industry.	House of Industry; Foundling Hospital.

The Government charities of Gozo are under the management of the Lieutenant-governor of that island.

Having thus briefly stated to your Lordship the nature of the different Government charities, and the authorities by which they are administered, we proceed to mention the changes which we recommend to be made in the charitable expenditure of the Government, and in the mode of regulating it.

It must be manifest to your Lordship from the above statement, that the principle of uniform management so judiciously introduced by Sir Thomas Maitland in 1816, has been since unnecessarily departed from; and that there can be no reason for placing the Government charities under different authorities. It seems to us, therefore, that one board or committee should have the superintendence of all the Government charities, including those of Gozo.

With regard to the constitution of this board, we recommend that, for the present, it be formed of a selection of members of the two existing boards; all of whom (with the exception of one member, who receives a salary of 100 *l.* a year), are unpaid. We further recommend that the purveyor of the charitable institutions,

tions (who now personally superintends the Ospizio and the Civil Hospital) be appointed secretary of the board, without any increase of salary.

We recommend that all the charitable institutions should be placed under this board, and be managed, as far as possible, in a uniform manner.

As the poor in Malta cannot be supported by a local rate, only limited by the taxable property of the rate-payers, and as the Government can only set aside for this purpose a limited sum from the revenue raised by general taxation, the object to be aimed at, in administering the Government charities, is to relieve the most destitute part of the population. As all the indigent cannot be relieved by the Government, it is manifestly desirable that the Government should relieve those who are most indigent. Now by the present system this desirable object is not attained. The distribution of Government alms is liable to the principal objections which have been justly made to out-door relief of the poor in England; the discipline of the Ospizio is not sufficient to deter all but the most necessitous, and it cannot be considered that able-bodied girls, from 14 to 19 years of age, rank high among the objects of a limited public provision for the destitute. These defects in the system of the Government charities were fairly and unreservedly admitted by Mr. Greig, the chairman of the permanent committee, and by Sir Vincent Casolani, the chairman of the committee of the House of Industry; two gentlemen who appeared to us to entertain very sound opinions on the subject.

It seems to us, therefore, that the buildings now used as an Ospizio for the old, and as a house of industry, ought to be placed under the control of the new board of charitable institutions, and be used for the reception of the destitute generally.

The board will of course be empowered, with the concurrence of the Government, to make regulations for the admission of destitute persons, for their classification, for the maintenance of proper discipline in the house, for their feeding, clothing, &c. The principle by which the board will be guided in making these regulations, is to provide for all the physical wants of the poor admitted into the Government asylum; but to remove from their condition all those indulgences which may be attractive to persons not in a state of destitution, and which would have the invidious effect of securing to paupers maintained by the state on the the plea of destitution, a larger share of comforts than is enjoyed by many of those who contribute to their maintenance.

We likewise think that the distribution of monthly alms ought not to be extended to new objects of relief; and that the sum saved by this change of system ought to be expended in enlarging the buildings for the reception of the poor, and in supporting the poor for whom this increased accommodation shall be provided.

With regard to the Foundling Hospital, we should be inclined to propose its immediate abolition, if we did not see some reasons for stopping short of this measure. According to the present practice, infants are brought to the Foundling Hospital by midwives or others, with a certificate from the curate of the parish, stating that the child is born "ex ignotis parentibus." This easy mode of admitting children has led to great abuse; the committee state in their report (already quoted) that "they are given to understand that the curates are in many instances imposed on, and that certificates are obtained from them for legitimate children, on the supposition that they are illegitimate." We therefore think that the Foundling Hospital should be restricted to its proper purpose of an hospital for foundlings, that is, of children publicly exposed and deserted; and with this limitation it is probable that the number of admissions will be diminished. If the accommodation for the inmates of the Government institutions should be increased in the manner which we have suggested, and if all persons having the claim of destitution be admissible, destitute unmarried women with children may be received into them without producing the bad effects which now ensue from the abandonment of illegitimate children.

With respect to the Monte di Pietà we think no change at present desirable, except to abolish the monopoly of pawnbroking which it enjoys, and to make a law for the regulation of the pawnbroking trade. If it should appear that private dealers cannot afford to lend on as advantageous terms as the Monte, the permission will be simply inoperative; if it should appear that they can afford to lend on as advantageous or more advantageous terms, the public will benefit. At present there is much lending on pledges by private persons, but in an irregular

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gular and unauthorized manner. It is the opinion of the chief magistrate of executive police, and other persons whom we have examined, that the existence of pawnbrokers' shops will afford scarcely any additional facility for the disposal of stolen goods.

The heads of the recommendations on this subject, which we have submitted to your Lordship, are,

1. To place all the Government charities under the management of one board.

2. To discontinue the payment of Government alms, to limit the Government relief to relief in public institutions, to make all destitute persons admissible into such institutions, and to empower the Board of Charities to make regulations for the government of these institutions, the object being to relieve the most necessitous part of the poor population.

3. To restrict admissions into the Foundling Hospital to foundlings properly so called.

We have purposely abstained from entering into minute details with respect either to the existing charities of the Government, or to the changes which we recommend to be made in them. Such details would be on a scale belonging rather to parochial management than to a department of the general government of the empire. But if your Lordship should be pleased to approve of the principles on which our recommendations are founded, we shall be prepared to submit to the local authorities all the details necessary for carrying into effect the plan which we have above suggested.

In obedience to your Lordship's instructions to us, to pay particular attention to the state of the poor, and the means of improving their condition, we have instituted examinations into this subject for every casal or country parish in the island. These examinations have been founded on a long series of queries, a copy of which we sent to your Lordship. They contain a great deal of statistical information on the economical condition of the island, which does not exist elsewhere, and which would be interesting and instructive to all persons who care about such subjects, but especially to the Government and to the inhabitants of the island. If we were to append these examinations to our General Report, we fear that (whether in the original Italian, or in an English translation) they would be accessible to few persons, and that even if they were printed for the use of Parliament, the expense of printing them would be nearly thrown away; we therefore request that your Lordship will give us authority to have them printed and published in this island at the expense of the Government, either completely or in extracts, according as we may judge most convenient. The only parts of them which can be supposed likely to produce any bad effect, are the answers which contain the opinions of the country-people as to the causes of their poverty. These opinions, as might be expected, are for the most part utterly mistaken; since they attribute the poverty of the people, not to their own improvidence in multiplying their numbers beyond the demand for their labour, but to the acts or omissions of the Government. These opinions, however, prevail, and will not be strengthened by the statement of them in print; on the contrary, it will be easier to join issue with them and refute them, when they appear in a tangible and authentic shape. (The expense of printing these examinations would not be great; we imagine that they would make about a thick octavo pamphlet.)

We have said nothing in this despatch to your Lordship on the subject of education, either for the higher or poorer classes. We have, however, inquired into the subject, and have formed the outlines of a plan for increasing the efficiency of the University and Lyceum, and for extending the means of elementary instruction in the country. It is our present intention to propose that the same board which manages the Government charities shall also superintend the Government establishments for education. But we forbear from troubling your Lordship prematurely on this subject; we will only say, that the changes which we propose to make in the Government charitable institutions have been framed with a view to these ulterior arrangements.

We have, &c.

(signed) *John Austin,*
George Cornewall Lewis.

To the Lord Glenelg,
&c. &c. &c.

ACCOUNT of the Expenses incurred under the following heads of the Government Charities for the Year ended 31 December 1836; viz.:

Salaries of the establishments, diets, medicines, washing, funerals, bedding, clothing, furniture, utensils, and every other expense connected with the institution.

	£.	s.	d.	£.	s.	d.
MEDICAL CHARITIES:						
Civil Hospitals	5,579	8	5			
Public Dispensary	182	14	– ¾			
Hospital Santo Spirito	372	–	5 ½			
Gozo Hospital	439	6	7 ¾			
Medical attendance to out-door Patients (Medici de Poveri) at Malta	90	12	–			
Ditto at Gozo	37	2	–			
				6,701	3	7
OSPIZI AND ASYLUMS:						
Ospizi and Lunatic Asylum at Malta	–	–	–	3,894	8	7 ¼
Ditto at Gozo charged under Alms*.						
MONTHLY ALMS AND DONATIONS:						
Malta	3,622	16	–			
Gozo *including the maintenance of 25 or 30 inmates of Ospizio	399	19	8 ½			
				4,022	15	8 ½
SCHOOLS:						
Malta, Valetta, Cospiqua, Senglea, Vittoriosa	350	–	–			
Gozo	50	–	–			
				400	–	–
			£.	15,018	7	10 ¾

Memorandum.

In the expense of the Civil Hospitals is included the cost of medicines supplied to the officers of the Royal Malta Fencibles, the House of Industry, the prisons, the Lazzaretto, and 10 poor convents, the whole of which are allowed medicines, by order of Government, from the hospital dispensary.

The amounts for Gozo have been copied from the Audit-office. In the sum charged against the Gozo Hospital is included 25 *l.* allowed by Government to an hospital for females, in that island, which is under ecclesiastical administration, and also medicines supplied to out-door patients.

Valletta, 26 April 1837. (signed) *G. Montanseo.*

House of Industry, 1836.

	£.	s.	d.
Paid—Fixed Establishment	380	11	–
Maintenance, &c.	1,095	15	8
Building additional rooms for the foundlings and the infirmary, &c.	216	16	3 ¾
Foundling Hospital	436	5	10 ½
Total Expenditure £.	2,129	8	10 ¼

Factory:

Expended for cost of materials, &c. £. 1,050 2 4 ¾

Received from sale of articles manufactured £. 1,049 1 6

(signed) *V. Casolani.*

No. 11.
Lord Glenelg to Major-General Sir H. F. Bouverie, K.C.B.
29 May 1837.

— No. 11. —

Copy of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K.C.B.

(No. 93.)

Sir, Downing-street, 29 May 1837.

I have received the Report from His Majesty's Commissioners of Inquiry at Malta, dated the 4th instant, on the subject of the Government Charities in that island. It affords the basis on which I am able, with confidence and satisfaction to myself, to convey to you the necessary instructions for your guidance, for it is impossible that all the material facts should have been brought together with greater brevity and clearness, or that the principle which should direct the counsels of His Majesty's Government should have been stated with greater force and perspicuity.

1. The Commissioners propose to place the various charitable institutions maintained at the public expense, under the administration of a single board, thus reverting to the policy of Sir Thomas Maitland, in the year 1816. To this scheme I can anticipate only one objection, namely, that the gentlemen who are performing the separate duties gratuitously, and the officers who are at present paid for assisting them, might find the increased labour greater then they would be willing to undertake, or might demand some additional remuneration. But the Commissioners have foreseen and answered this difficulty. They entertain no doubt that the honorary members of the proposed single board, would cheerfully undertake, and effectually discharge, the whole of this service, and that no addition to the salaries already paid will be required. Upon this understanding, I have to authorize you to carry their advice into execution, by consolidating the two existing Boards, selecting from their members those whom you deem best qualified to form the new administration of these charities. I also concur in the propriety of appointing the purveyor of charitable institutions to hold the office of secretary to the new Board at his present rate of salary. Before the members shall meet for the dispatch of business, you will prepare and communicate to them for their guidance, such instructions as may be necessary to secure method, punctuality and economy in the discharge of their duties.

2. The Commissioners next recommend the adoption, as far as the circumstances of the case will admit, of those principles in the distribution of public alms, which have been established in England under the Poor Law Amendment Act. With that view they propose that the buildings, as an ospizio for the aged, and as a house of industry, should be placed under the control of the new Board, and used for the reception of the destitute generally; that the Board, with the concurrence of the local Government, should make all necessary regulations for the admission, classification, feeding, and clothing of destitute persons, and for the maintenance of proper discipline in the house; and that the principle pervading all such regulations should be, at once to make adequate provision for the physical wants of the paupers, and to deny them indulgences which might be attractive to those who have the means of supporting themselves, and even to some of the contributors to the fund from which this expenditure is to be defrayed.

You will strictly act upon and enforce the observance of these principles; not of course forgetting, that in carrying plans of this nature into effect, much caution is necessary in order to avoid not only the giving a reasonable cause of complaint, but also the affording any plausible ground for the misconception and mis-statements which must be expected from prejudiced or interested opponents.

3. In pursuance of the same general principle, the Commissioners propose to admit no new candidates for the receipt of monthly alms, but to apply whatever saving may be thus effected towards the maintenance of the inmates of the ospizio and house of industry, and the improvement of the means of receiving them into this institution. You will act upon this suggestion, unless some conclusive objection which has escaped the research of the Commissioners should occur to you.

4. It is next proposed, that no children, except those publicly exposed and deserted, should be admitted into the foundling hospital. The abuse of this charity,

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Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B.
29 May 1837.

charity, which the Report describes, urgently requires correction. Indeed it is difficult to suppose a more noxious institution than an asylum for infants, into which are brought the children of parents desirous to transfer their own parental obligations to society at large. In the present case the practice appears to have assumed a character not very remote from that of a systematic infanticide, because the hospital, being overburdened with many more children than it is possible to supply with nurses, they appear to have perished in no inconsiderable number from the want of the only nutriment by which it is in general possible that human life should be sustained in the first stage of existence. The establishment of receptacles even for deserted children is perhaps an equivocal advantage. But as, on the one hand, the maternal instinct, even of the most depraved women, affords a very great security against the abandonment of their offspring, so, on the other hand, the natural and laudable feelings of society at large, would be revolted by withholding from their helpless children the public succour to which they appear to have so powerful a claim. Such also appears to be the view of the Commissioners. I concur with them, that to such foundlings alone the charity should hereafter be restricted, but that from such it should not be withheld. You will instruct the future governors of this institution accordingly.

5. I have further to announce my assent to the advice of the Commissioners, that the trade of pawnbroking should be thrown open to any person who may be desirous to pursue it, under such regulations for the prevention of abuses as may be established by law. You will submit to the Legislative Council the project of an ordinance for that purpose. To maintain this trade as a monopoly for the support of a public charity, is in fact to throw the charge of that charity in a great extent upon a single class of society, and chiefly upon that class which is least able to sustain the burden. I assume that the monopoly raises the price at which this business is transacted. If the assumption be erroneous, then, as the Commissioners have observed, the law will at least produce no practical ill consequence, while it would assert an important general principle.

6. You will of course avail yourself of the Commissioners' offer to submit to you all the details necessary for carrying their plans into execution.

7. You will further take the necessary measures for printing the Abstracts, mentioned in the Report, of the statistical information which the Commissioners have collected as to the state of the poor in Malta, as to the means of improving their condition, and as to the economical state of the island generally. Perhaps the work may be better and more cheaply executed in England than at Malta. If so, the manuscript may be transmitted to me for that purpose.

You will, of course, obtain from the Commissioners a copy of this Report, and you will communicate to them a copy of my present despatch.

I have, &c.
(signed) *Glenelg.*

— No. 12. —

REPORT on the Department of Marine Police.

No. 12.
Report on the Marine Police.
2 June 1837.

Government Houses.

My Lord, Malta, 2 June 1837.

In our despatch of the 1st of April last, and its enclosure, we recommended to His Majesty's Government certain changes in the distribution of the functions of the Departments of Customs and Marine Police, in consequence of the abolition of the Grain Department, and of the system on which that department was founded. The necessity for an immediate arrangement prevented us from making our recommendations as complete as we desired, inasmuch as we were unable to touch the subject of quarantine, on account of the temporary absence of the superintendent of quarantine. We now proceed to supply this deficiency in our plan.

No. 5, p. 33.

Your Lordship may remember that, for the purpose of transferring the collection of the grain duties from the Grain Department to the Department of

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Customs, we recommended that the grain guards should be placed under the orders of the Collector of Customs, and should be employed generally in the protection of the customs' revenue. Thinking that the protection of the customs' revenue would be most efficiently and economically performed by the Department of the Customs, and that it ought not to be divided between several departments, we recommended that the revenue guards attached to the Department of Marine Police should, at the same time, be transferred to the Customs. These transfers were made on the 24th of April last; and we understand that the change has been perfectly successful for its main object, viz. the more regular and certain collection of the customs' revenue. The change has, however, to a certain extent, impaired the efficiency of the Department of Marine Police, as the boatmen and subordinate officers transferred from it to the Customs were occasionally employed in the other duties of the department.

Captain Hunn, the head of the Department of Marine Police, holds three offices, viz. Intendant of Marine Police, Captain of the Port (*i. e.* the Great Harbour), and Sitting Magistrate of the ports. For these offices he receives a salary of 350 *l.* a year, and a Government house and garden rent free, valued, in the books of the collector of land revenue, at 35 *l.* a year.

Before the governorship of Sir Thomas Maitland, both harbours were subject to the same authority, and ships performed their quarantine indifferently in either harbour. Sir Thomas Maitland restricted the performance of quarantine (with the exception of ships of war), to the eastern or smaller harbour; placed this harbour exclusively under the Superintendent of Quarantine; and placed the great harbour under the Intendant of Marine Police. The Intendant of Marine Police was thus little more than Captain of the Great Port, though he had a distinct authority; the Captain of the Quarantine Port was, of course, subordinate to the Superintendent of Quarantine: it was, however, found impossible to make the separation of these two departments complete. The Captain of the Great Port boarded all vessels arriving in the great port, and admitted them to pratique, if their papers were regular, and there appeared to be no doubt; but if there was any apparent irregularity, or any cause for doubt, the Captain of the Great Port immediately transferred the matter to the Quarantine Department. Accordingly, it was necessary for the Superintendent of Quarantine to have an office in the great port, both on this account, and on account of the ships of war which might be performing quarantine in it.

Sir Thomas Maitland likewise, by proclamation of 25th October 1817, No. XI., created a new criminal and civil jurisdiction, to be exercised by a magistrate, styled the Sitting Magistrate for the Ports. The criminal jurisdiction of this magistrate extends to all criminal offences committed on the high seas, or within any of the ports of these islands; and he has power to punish by fine not exceeding 100 scudi (8 *l.* 6 *s.* 8 *d.*), or by imprisonment not exceeding three months. His civil jurisdiction extends to all disputes between masters and mariners of ships, relative to seamen's wages, where the amount in dispute does not exceed 150 scudi (12 *l.* 10 *s.*) Sir Thomas Maitland conferred this magistracy on the head of the Department of Marine Police, and it has been held in connexion with that office up to the present time.

Since the recent transfer of officers from the Marine Police to the Customs, Captain Hunn has represented to us, that some additions to the establishment of his office will be requisite; and he has laid before us a plan of these additions, which would entail an increase of expenditure to the amount of 891 *l.* 2 *s.* a year, the present expense being 1,869 *l.* 8 *s.*

Captain Hunn has likewise presented to us a memorial (a copy of which we subjoin to this despatch), in which he complains that, having been appointed to the office of Captain of the Port, at a salary of 350 *l.* a year, he has been called upon to perform the duties of Magistrate for the Ports, without any additional emolument; and he applies, on this ground, for compensation, stating that he has already saved His Majesty's Government a sum exceeding 3,000 *l.*

We now proceed to state to your Lordship the means by which we propose to remove the evils in the present state of the Department of Marine Police, of which Captain Hunn complains.

In the first place, it appears to us that the present division of duties between the Departments of Quarantine and Marine Police is inconvenient, and might lead to important mistakes. The admission to pratique ought, in Malta, as in other countries, to be granted in every case by the Quarantine Department, which

which can alone possess the requisite information for this purpose. To decide that there is no doubt is, in fact, to solve a doubt; and although the Superintendent of Quarantine states to us that he has hitherto succeeded in preventing any mistakes in the admission of vessels to pratique, by the immediate communication to the Captain of the Port of all intelligence with respect to infection, yet he is fully aware of the disadvantages of the present arrangement. We think, moreover, that the marine police of both harbours can be performed, most effectually and most economically, by a single authority, inasmuch as the whole force can then be brought to bear on a single point, in case of any extraordinary need. We therefore recommend that the present Department of Marine Police form a branch of the present Department of Quarantine; that this department be called "The Department of Quarantine and Marine Police;" and that the Captain of the Great Port stand towards the Superintendent of Quarantine and Marine Police, for one harbour, in a situation analogous to that of the Captain of the Quarantine Port for the other harbour. Quarantine must be considered as a part of marine police, in the large sense of the word; and we confidently expect that, by combining the functions of marine police and quarantine in both harbours, it will be possible to avoid the necessity of such an increase of establishment as Captain Hunn requires.

We beg leave to add, that we have consulted the Superintendent of Quarantine, and the other persons belonging to the Government, who are acquainted with the details of the business, and that they fully approve of the change which we recommend.

We now come to Captain Hunn's claim for compensation, which appears to us to be founded on a mistake as to the facts of the case. Captain Hunn, in his memorial above mentioned, states that he was appointed Captain of the Port, with a salary of 350 *l.* a year; that on his arrival in the island there existed an office of Sitting Magistrate for the Ports, filled by Mr. Frederick Ross, who enjoyed a salary of 300 *l.* a year, with a house, messengers, &c.; and that, shortly after his arrival, he was called upon, and sworn in, to perform the duties of the said Sitting Magistrate of the Ports, but without the addition of any salary, emolument, or other compensation whatsoever, for the performance of those irksome, onerous, and responsible duties. On these grounds he claims compensation from the Government; but we think it will be manifest, from the following short relation of the facts, that his claim is not well founded.

The magistracy of the ports was created by the proclamation of 25th October 1817, already referred to. On the day of the issue of this proclamation, Mr. Corner, the Intendant of Marine Police, was appointed Magistrate of the Ports. Mr. Corner having died, the offices of Intendant of Marine Police and Magistrate of the Ports were appointed to be held separately, *pro tempore*, by a Government notice of 6th February 1819; but in June and August of the same year the two offices were successively conferred on Captain Symonds. Captain Symonds held these two offices (including that of Captain of the Port) until the year 1828. On the 17th March of that year, it was notified in the Government Gazette that, in consequence of the resignation of Captain Symonds, Captain Henry St. John was appointed Intendant of Marine Police and Captain of the Port, and Mr. F. Ross Sitting Magistrate for the Ports. This arrangement of the local Government appears, however, not to have been approved of by the Secretary of State. On the 1st of August following the Gazette notified that the Secretary of State for the Colonial Department had appointed Captain Hunn to be Captain of the Port of Malta, Intendant of Marine Police, and the Sitting Magistrate for the Ports, in the room of Captain Symonds, resigned; that the appointments of Captain St. John and Mr. Ross were cancelled, but that these two officers would continue to act until Captain Hunn's arrival. A Government notice, of the 7th November following, stated that Captain Hunn, being arrived in the island, had assumed the duties of the three offices just mentioned.

From this statement, it results that the office of Magistrate for the Ports has been held conjointly with the offices of Intendant of Marine Police and Captain of the Port, since its first creation, with the exception of a temporary separation made by the local Government, which was not confirmed by the Secretary of State, and which only lasted for a few months. It also results, that Captain Hunn was gazetted Magistrate of the Ports before his arrival in the island, and that he accepted the offices of Intendant of Marine Police and Captain of the Port with a full knowledge that the magistracy of the ports was attached to them.

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them. He has not represented to us that he accepted the magistracy of the ports under protest, or that, on first entering on his official duties, he made any remonstrance to the Secretary of State against the act of the local Government, which he now complains of. If there was any misunderstanding on Captain Hunn's part, it probably arose from the circumstance of hearing his office called in England the office of Captain of the Port, the names of his other functions (as is commonly the case) being omitted for the sake of brevity. But, after the full and unambiguous notice in the Government Gazette, it appears to us that Captain Hunn has no right to claim compensation, on the ground of a misunderstanding which certainly did not exist on the part of the Government, and which, if it existed on his part, the Government had taken effectual means to dispel.

But though we cannot recommend your Lordship to entertain Captain Hunn's claim for compensation, we see strong objections to the performance of the duties of head of the Marine Police and of Magistrate of the Ports by the same person. At present, the officer who, in his capacity of head of the Marine Police, orders a man to be apprehended, proceeds, in his capacity of Magistrate for the Ports, to try and sentence him. Until we have investigated the subject of judicature, we are unable to determine whether the doubts which we have formed, as to the expediency of this peculiar marine jurisdiction, are or are not well founded. In the meantime, we recommend that the first assistant in the Department of Marine Police be appointed to act provisionally as Magistrate of the Ports, without increase of salary, until some permanent and systematic arrangement of the judicature can be made. The first assistant has been already empowered to sit as Magistrate of the Ports, in the absence of his principal (by Government Minute of 14th April 1834); and we understand that he has, in fact, discharged a great part of the judicial duties of this officer.

In examining Captain Hunn's claim for compensation, we might have adverted to the fact that, since April 1832, he has had the use of a Government house and garden, free of rent. This house and garden have been granted to him in violation of the instructions of the Secretary of State not to grant Government houses to any civil servant, except seven, of whom Captain Hunn is not one.

The grounds upon which we make these statements will appear in a letter recently addressed by us to the Chief Secretary, and in his answer, copies of which we enclose.

With regard to the subject discussed in those letters, we should be disposed, even if we had not been instructed, to abstain from all express censure of the past conduct of the Government, which does not admit of any remedy, or which can only be remedied at the expense of much individual suffering. With regard, therefore, to the subject of Government houses, on which the Governor expresses his willingness to listen to any recommendation of ours, we would at present simply recommend that the rules laid down in the printed regulations recently issued by your Lordship (c. 2, s. 4,) be henceforth strictly observed.

We likewise recommend that a list of the Government houses and other property held by individuals, either rent-free or at a reduced rent (similar to that which we transmit), be annually inserted in the Blue Book for the island.

We have, &c.

(signed) *John Austin.*
George C. Lewis.

To His Majesty's Commissioners of Inquiry.

The MEMORIAL of Captain *Hunn*, Superintendent of Marine Police, Captain of the Port, and Magistrate of Judicial Marine Police, *Malta*.

Showeth,

THAT in June 1828, your memorialist was appointed to be Captain of the Port at this island, by the late Right honourable William Huskisson, then one of his Majesty's Principal Secretaries of State, with the reduced salary of 350*l.* per annum:

That on your memorialist's arrival at this island to fulfil the duties of that appointment there existed an office of Sitting Magistrate for the Ports, filled by a Mr. Frederick Ross, of

His

His Majesty's land forces, who enjoyed a salary of 300*l.* per annum, with a house, messengers, &c.:

That shortly after your memorialist's arrival he was called upon, and sworn in, to perform the duties of the said Sitting Magistrate of the Ports, but without the addition of any salary, emolument, or other compensation whatsoever for the performance of those irksome, onerous, and responsible duties:

That your memorialist has continued to perform those separate duties for near nine years, and, as he presumes to say, with zeal, integrity and diligence:

That your memorialist at various times appealed to the late Lieutenant-governor, and sought a recompense for the additional services thus required of him, but without success; and your memorialist still continues to perform those important duties unrequited, animated with the hope of receiving compensation for the same at your hands:

That your memorialist's labour during the time he has served His Majesty in this island has saved to His Majesty's treasury a sum exceeding 3,000 *l.*:

That your memorialist appeals to the high sense of justice that has been exhibited in all cases of hardship and grievance, and confidently places his case in your hands, in the confident hope of receiving that reparation for past, long, and unrequited services which may be his due:

In submitting these circumstances to your consideration, your memorialist has abstained from drawing comparisons between his own situation, duties, and salary, and those of many other officers in the civil service; some of whom may be said to have almost no duties, or none but what are performed by deputies, while they are in the receipt of emoluments far exceeding those of your memorialist, who stands in the singular position of receiving an appointment to one situation, and doing all the duties of two, which two were originally separately remunerated.

In conclusion, your memorialist requests that you will give his case the attention it merits, and recommend him for that redress which may be found adequate to his past and actual services.

Your memorialist has the honour to subscribe himself,
Gentlemen, your most obedient servant,
(signed) *Fred. Hunn*, Captain, R. N.

Copy of LETTER from His Majesty's Commissioners of Inquiry to Sir *Frederick Hankey*.

Valletta, 13 May 1837.
91, Strada Vescovo.

Sir,

The Commissioners of Inquiry wish to make the following remarks with respect to the correspondence between the Colonial Office and the local Government on the subject of Government houses, with copies of which you have recently furnished them.

Sir Frederick Ponsonby, in a despatch to Lord Bathurst, dated the 16th of March 1827, states that "in future no houses will be granted rent-free on the appointment of any civil officer, except a successor of the seven officers above mentioned." These seven officers are enumerated in Lord Bathurst's despatch to Sir F. Ponsonby, of 10th January 1827, and are as follows:

1. The President of the Court of Appeal.
2. The Chief Secretary to Government.
3. The Treasurer.
4. The Assessor.
5. The Superintendent of Quarantine.
6. The Collector of Land Revenue.
7. The Lieutenant-governor of Gozo.

To these the Chaplain to Government has been added by Sir F. Ponsonby's despatch to Lord Goderich, of 4th June 1827.

Now, from an account which has been furnished to the Commissioners by the Collector of Land Revenue, it appears that the following houses have been granted to civil servants, other than those enumerated, either rent-free or at a reduced rent, since the date of Sir F. Ponsonby's despatch above quoted, viz. 16th March 1827.

Houses wholly Rent-free:

10, Strada Mezzodi, Mr. Sedley; by orders dated 3d March and 11th May 1835.
100, Scesa Marina, Captain Hunn; by authority dated 26th August 1832.
St. Anna Floriana, 51 & 52, Paolo Muscatelli; by authority dated 16th November 1833.
148, Strada San Giuseppe, Senglea, Mr. Buttigieg; by authority of 19th March 1832.

Houses partly Rent-free.

111, Strada Santa Lucia, Captain Galland; by authority of 18th February 1829.
128, Strada Mercanti, Mr. Montanaro; by authority of 23d April 1830.
27, Strada Mezzodi, Mr. Godfrey; by authority of 23d June 1833.
18, Strada Scozzese, Mr. Forbes, from 21st April 1835; by authority of 27th July 1836.

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The following houses have also been granted rent-free, as a remuneration for past services, since the date of Sir F. Ponsonby's despatch:

117, Strada San Cristoforo, Giuseppe Pace; by decree dated 20th March 1835.
23, Strada Forni, Teodora Camilleri; by decree dated 20th January 1835.
35, Strada Marsamuscetto, Colonel Balneavis, from 1st May 1836; by authority of 19th April 1836.
119, Strada Stretta, Catarina Vidal; by authority of 1st September 1836.
9, Strada Sperone, Paolo Brincat; by decree of 12th April 1836.

It also appears that six tenements have been granted for charity, either rent-free or at a reduced rent, since the date of the same despatch.

The Commissioners request that you will inform them whether the above grants of Government houses, or any of them, have been made with the knowledge and approbation of the Secretary of State.

They likewise beg that you will inform them whether the local Government now considers itself authorized to grant Government houses or other property, free of the whole or a part of the rent, either to civil servants of the Government, or in the way of remuneration for past services, or as charity; and if the local Government considers itself so authorized, they would be glad to know whether it considers this authority in any way limited, or exercised in conformity with any general rules.

I have, &c.
(signed) *Thomas Tod*, Secretary.

Sir Frederick Hankey,
Chief Secretary to Government,
&c. &c. &c.

COPY of LETTER from Sir *F. Hankey* to His Majesty's Commissioners of Inquiry.

Sir, Chief Secretary's Office, Malta, 15 May 1837.

I HAVE the honour to acknowledge the receipt of your letter of the 13th instant, transmitting to me the remarks which the Commissioners of Inquiry wish to make on the correspondence between the Colonial Office and the local Government, on the subject of Government houses, with copies of which I recently furnished them.

And the Commissioners, referring to a despatch from the late Lieutenant-governor to Lord Bathurst, dated the 16th of March 1827, observe that Sir Frederick Ponsonby, in that despatch, states, that in future no houses will be granted rent-free on the appointment of any civil officer, except a successor of the seven officers enumerated in Lord Bathurst's despatch to Sir Frederick Ponsonby, of the 10th January 1827, viz.

The President of the Court of Appeal.
The Chief Secretary to Government.
The Treasurer.
The Assessor.
The Superintendent of Quarantine.
The Collector of Land Revenue.
The Lieutenant-governor of Gozo.

And to these the Chaplain to Government was subsequently added; but that, by an account from the Collector of Land Revenue, it appears that the following houses have been granted to civil servants, other than those enumerated, either rent-free or at a reduced rent, since the date of Sir Frederick Ponsonby's despatch above quoted, viz.

To Mr. Sedley - - - - - wholly rent-free.
Captain Hunn - - - - - ditto.
Mr. Paolo Muscatelli - - - ditto.
Mr. Buttigieg - - - - - ditto.

Partly rent-free to Captain Galland, Mr. Montanaro, Mr. Godfrey, and Mr. Forbes.

Rent-free, as a remuneration for past services, to Giuseppe Pace, Teodora Camilleri, Colonel Balneavis, Catarina Vidal, and Paolo Brincat; and it also appears that six tenements have been granted for charity, either rent-free or at a reduced rent, since the date of the same despatch; and under these circumstances, you say, in your letter, that the Commissioners request that I will inform them whether the above grants of Government houses, or any of them, have been made with the knowledge and approbation of the Secretary of State; also whether the local Government considers itself authorized to grant Government houses, or other property, free of the whole or a part of the rent, either to civil servants of the Government, or in the way of remuneration for past services, or in charity; and if the local Government considers itself so authorized, the Commissioners would be glad to know whether the local Government considers this authority in any way limited, or exercised with any general rules.

Having laid your letter before the Governor, I am directed, in reply, to offer such explanation as I can to the Commissioners, in respect to the instances quoted, of houses granted wholly free of rent or partly free of rent, or granted rent-free or at a reduced rent, in remuneration of past services, or for charity, since the date of Sir Frederick Ponsonby's despatch of the 16th March 1827.

The

The first case is that of Mr. Sedley. He has a house wholly rent-free, as the Registrar of the Vice-Admiralty Court, in consequence of a grant of very long standing made to his predecessor, Mr. John Locker. There is no salary attached to the office of Registrar, but an official residence was allotted to that officer, in which are to be kept the archives of the court, and this was done with the knowledge of the Secretary of State. The house which Mr. Sedley occupies is not the same as was occupied by his predecessor, but one of which the estimated annual rent is smaller.

Captain Hunn has a house wholly rent-free. As the Harbour-master, he is obliged to reside on a particular spot, for the purpose of carrying on the duties of his office, and His Majesty's Government have recognised the principle, that under such circumstances the Government is to provide a house. Mr. Paolo Muscatelli and Mr. Buttigieg are Adjutants of the Executive Police, the one at Floriana, the other at Senglea, and both, for the same reason as in the case of Captain Hunn, have been provided with small houses at those two places.

Captain Galland is the Adjutant of Police in Valletta, and the late Lieutenant-governor, considering that his pay was inadequate, thought it fitting to allow him a house in Valletta at a reduced rent; and the same reason induced Sir Frederick Ponsonby to grant a house at a reduced rate of rent to Mr. Montanaro, the Purveyor to the Charitable Institutions; also a small house to Mr. Forbes, an useful and industrious clerk in the Chief Secretary's Office, whose salary is but 90 *l.* 15 *s.* a year. In respect to Mr. Godfrey, under the arrangement which had been made he was entitled to a house at one-third of the estimated rent; on his appointment as Magistrate of Executive Police, the late Lieutenant-governor was pleased to continue to him his former privilege as a civil servant of the Government.

In regard to Giuseppe Pace, Teodora Camilleri, Catarina Vidal, and Paolo Brincat, they urged some well-founded claims on the Government, in satisfaction of which, and as the most economical measure, small houses, rent-free, were granted to them respectively.

Colonel Balneavis had been for nine years Inspector of the Executive Police, but lost that situation, His Majesty's Government being of opinion that the office of Inspector was incompatible with that of Town-major. As some slight indemnification for the loss of the Inspectorship, the late Lieutenant-governor allowed him to continue in the enjoyment of his former privilege of a house rent-free.

It does not seem necessary to advert to the six small tenements granted by Government on the score of charity.

The transactions above stated in relation to Government houses were never explained to the Secretary of State, and therefore are not known to, nor approved by that high authority. On this point, however, it is to be observed, that the grants of the houses to civil servants have of course been regularly stated in the annual Blue Book.

The local Government, strictly speaking, does not consider itself authorized to grant Government houses or other property, free of the whole of the rent or part of the rent, either to civil servants of the Government, or in the way of remuneration for past services, or in charity. Nevertheless, on this subject, as on many others of a like nature, the local Government considers itself authorized to exercise a certain discretion, according to circumstances.

Few matters have occasioned this Government more embarrassment than the applications on the score of houses rent-free or at a reduced rent, nor is it pretended that the difficulties have been overcome without infringement of both the letter and the spirit of the instructions of the Secretary of State in regard to Government houses; and I am directed by the Governor to add, that any recommendation of the Commissioners will be viewed by him with pleasure, from the adoption of which his Excellency may find himself liberated from applications, which it has been found difficult to meet, and which will not fail to be pressed on him strongly, as they were on his predecessor in the administration of the government.

I have, &c.
(signed) *Frederick Hankey*,
Chief Secretary to Government.

Thomas Tod, Esq.,
Sec. to H. M. Commissioners of Inquiry, Malta,
&c. &c. &c.

STATEMENT of all Houses or other Crown Property in the Island of *Malta* and its Dependencies, for which either no Rent whatsoever, or a Rent inferior to Value, is claimed on the part of Government.

Number of Tenement.	Description, and where situated.	Value of Annual Rental.	By whom occupied.	At what Rent, where any.	In what Capacity, or for what Consideration, whether Pecuniary or otherwise.	Date and Particulars of the Authority, with any elucidatory Remarks.
	Part No. 1.—Wholly Rent-free, in virtue of Office:					
		£. s. d.		£. s. d.		
30	Apartment at the Auberge d'Italie, Brittanica, 27.	12 – –	Mr. Harper - -	- - -	- - His official residence, as Superintendent of the Government printing-office.	- - By authority, dated 8th June 1827.
167	House, S^{da} Forni, 156	60 – –	Mr. Greig - -	- - -	- - As Superintendent of Quarantine.	- - Since 1st May 1833, under the authority of 8th June 1827.
345	House, S^{da} Mercanti; 226.	5 – –	- - Catholic priests attending poor people dying.	- - -	- - - - - -	- - During the pleasure of Government, by decree dated 28th May 1810.
347	House, S^{n} Michele, 10	50 – –	Mr. Cumberland -	- - -	- - As Collector of H. M.'s Land Revenue.	- - Since 1st May 1833, under the authority of 8th June 1827.

(*continued*)

Number of Tenement.	Description, and where situated.	Value of Annual Rental.	By whom occupied.	At what Rent, where any.	In what Capacity, or for what Consideration, whether Pecuniary or otherwise.	Date and Particulars of the Authority, with any elucidatory Remarks.
	PART No. 1.—Wholly Rent-free, in virtue of Office—*continued.*					
		£. s. d.		£. s. d.		
348	House, Marsamuscetto, 31.	40 – –	Mr. Nugent - -	- - -	- - As Treasurer to Government.	- - Since 1826, by verbal orders of Government, confirmed by the authority of 8th June 1827.
368	House, Mezzodi, 10 -	41 13 4	Mr. Sedley - -	- - -	- - As Registrar of the Vice-admiralty Court, and for an office.	- - By orders, dated 3d March and 11th May 1835.
436	Auberge, Ponente, 15	100 – –	Sir John Stoddart -	- - -	As Chief Justice - -	By authority of 8th June 1827.
437	Stable - ditto, 16					
438	House - ditto, 22 -	5 – –	Fra. P. P. Pace -	- - -	- - As Chaplain of the Pilar Church (a Government chapel).	Attached to the chapel.
458	Palace, S^{da} Reale -					
422	House, S^{a} Giorgio, 1 (attached to the palace).	- - -	- - The residence of his Excellency the Governor.			
656	House, Vittoria, 19 -	5 – –	D^{n} Nicola Lanzon -	- - -	- - As the Sexton of the Government chapel, St. Catherine.	- - - ditto.
670	Auberge, ditto, 86 -	100 – –	Sir Fred. Hankey -	- - -	- - As Chief Secretary to Government.	- - Since 1824, by verbal orders of Government, confirmed by authority of 8th June 1827.
673	House, ditto, 113 -	54 3 4	Rev. John Cleugh -	- - -	As Civil Chaplain - -	- - Since 1st January 1832, by authority of 1st June 1827 and 23d June 1832.
949	House, Scesa Marina, 84.	5 – –	Fra Vin^{zo} Grassi -	- - -	- - As Chaplain of the Government chapel, Liesse.	Attached to the chapel.
959	House, ditto, 100 -	35 – –	Capt. Hunn, R. N. -	- - -	- - His official residence, as Intendant of Marine Police and Captain of the Port.	- - By authority, dated 26th April 1832.
1163	House, St. Anna Floriana, 51 & 52.	8 6 8	P^{lo} Muscatelli -	- - -	- - As Adjutant of Police at Floriana (his official residence).	- - By authority, dated 16th Nov. 1833.
1172	House, St. Anna Sarria, 36.	5 – –	D^{n} Michele Farrugia	- - -	- - As Chaplain of the Government chapel, Sarria.	Attached to the chapel.
1182	House, S^{n} Tomaso, 41 & 42.	7 – –	D^{n} Luigi Camilleri -	- - -	- - As Member of the Committee for Charitable Institutions.	- - By authority, dated 22d May 1824.
1208	House, S^{n} Guiseppe Senglea, 148.	5 – –	Mr. Buttigieg - -	- - -	- - As Adjutant of Police for the three cities.	- - His official residence, by authority of 19th March 1832.
	Gozo:					
211	House at Chambray, 25.	20 – –	- - - -	- - -	- - The official residence of the Lieutenant-governor of Gozo.	- - By authority, dated 8th June 1827.
	£.	558 3 4				
	PART No. 2.—Partly Rent-free, in virtue of Office:					
37	House, Brittanica, 61	35 – –	Mr. Thornton - -	11 13 4	- - Formerly held by him, rent-free, as Auditor-general of Accounts.	- - - ditto.
50	House, ditto, 107 & 108	36 – –	- - Mr. Bouchier, Collector of Customs.	15 18 5½	- - Formerly held by him, rent-free, as Private Secretary to his Excellency the Lieutenant-governor.	- - - ditto.
174	House, Forni, 198 -	16 – –	Mr. Lewis - -	5 6 8	- - Formerly held by him, rent-free, as First Clerk, Grain Department.	- - - ditto.
267	House S^{ta} Lucia, 111	25 – –	Capt. Galland, R. M. F.	8 6 8	- - As First Adjutant of Police.	- - By authority of 18th Feb. 1829.
301	House, Mercanti, 128	16 – –	Mr. Montanaro -	5 6 8	- - As Purveyor of the Civil Hospitals.	- - By authority of 23d April 1830.
372	House, Mezzodi, 16 -	16 – –	Captain Heppenstall	5 6 8	- - Formerly held by him, rent-free, as Captain of the Government schooner.	By authority of 8th June 1827.
373	House, ditto, 24 -	20 – –	Mr. Sim - - -	6 13 4	- - Formerly held by him, rent-free, as First Assistant, Chief Secretary's Office.	- - - ditto.
374	House, ditto, 27 -	29 3 4	Mr. Godfrey - -	13 17 9¼	- - As Magistrate of Executive Police.	By authority of 23d June 1833.
446	House, Ponente, 85 -	50 – –	Mr. Ward - -	16 13 4	- - Formerly held by him, rent-free, as Superintendent, Grain Department.	By authority of 8th June 1827.
547	House, Scozzese, 18 -	10 – –	Mr. Forbes - -	3 6 8	- - As Clerk, Chief Secretary's Office.	- - From 21st April 1835, by authority of 27th July 1836.
544	House, ditto, 9 -	29 3 4	Mr. Phillips - -	9 14 5½	- - Formerly held by him, rent-free, as Third Assistant, Chief Secretary's Office.	- - By authority of 8th June 1827.
705	House, Zecca, 8 -	50 – –	Mr. Calvert - -	16 13 4	- - Formerly held by him, rent-free, as Government Agent and Broker.	- - - ditto.
1171	House, Sarria, 36 (at Floriana).	25 – –	- - Rev. T. H. Lemesurier.	8 6 8	- - Formerly held by him, rent-free, as one of the Members of the Committee for Charitable Institutions.	- - - ditto.
	£.	357 6 8	£.	127 4 –		

Number of Tenement.	Description, and where situated.	Value of Annual Rental.	By whom occupied.	At what Rent, where any.	In what Capacity, or for what Consideration, whether Pecuniary or otherwise.	Date and Particulars of the Authority, with any elucidatory Remarks.
	PART No. 3.—Allowed in the Nature of a Pension, or for other Services:					
		£. s. d.		£. s. d.		
46	Magazine, Brittanica, 96.	8 6 8	- Mr. Howard, English schoolmaster.	4 3 4	- - To encourage the teaching of the English language.	- - By decree, dated 30th Jan. 1833.
54	Two rooms, ditto, 117 & 118.	2 - -	Saverio Camilleri -	- - -	- - As Messenger in the Land Revenue Office.	- - During pleasure, since Dec. 1818.
64	House, ditto, 137 -	10 - -	Giuseppe Farrugia -	- - -	- - As late Apothecary of Civil Hospitals.	- By decree, dated 27th March 1804.
94	House, Sª Cristoforo, 117 (D.)	10 - -	Giuseppe Pace -	- - -	- - - - - -	- - For life, by decree, dated 20th March 1835.
107	Mezzanino, ditto, 155	5 - -	Vincenzo Canidi -	- - -	- - As one of the former Orderly Sergeants of his Excellency the Governor.	- - By decree, dated 15th July 1809.
117	Ward-rooms, ditto, 178	5 - -	Giuseppe Stabile -	- - -	- - As Messenger of Executive Police.	- - During pleasure, since July 1828, in lieu of a quarter he occupied rent-free in the arsenal at Floriana.
139	Mezzanino, ditto, 136	3 - -	Giuseppe Baldacchino	- - -	- - Guardian, Quarantine Office.	- - During pleasure, since Sept. 1824.
154	Mezzanino and cellar, Forni, 23.	5 16 8	Teodora Camilleri -	- - -	- - For services rendered by her late husband.	- - By decree, dated 20th Jan. 1835.
294	Shop, Sª Mercanti, 87.	5 - -	Carlo Mifsud - -	2 10 -	- - For services rendered by him during the plague.	- - For life, by decree, dated 25th June 1815.
350	House, Marsamuscetto, 35.	35 - -	Colonel Balneavis -	- - -	- - Town-major; formerly Deputy Inspector-general of Police.	- - From 1st May 1836, by authority of 19th April 1836.
354	Two rooms, ditto, 141	1 - -	Giuseppe Zammit -	- - -	- - As late Capo Maestro of the Fortifications.	Prior to the year 1800.
369	House, Mezzodi, 11 -	25 - -	Mrs. Baynes - -	- - -	- - As the widow of Deputy Commissary-general Baynes, formerly Treasurer of Government in these possessions.	- - During pleasure, since 1st July 1823.
516	House, Stretta, 119 -	8 - -	Catarina Vidal -	- - -	- - As the widow of the late Gio. Vidal, Clerk of the Grand Prison.	- - During life, by authority, 1st Sept. 1830.
556	House, Sperone, 9 -	3 6 8	Paolo Brincat - -	- - -	- - Coachman to his Excellency the Governor.	- - By decree of 12th April 1836.
687	House, Zaccheria, 12	6 - -	Giuseppe Cutajar -	- - -	- - Messenger, Chief Secretary's Office.	- - By decree, dated 26th July 1824.
707	Mezzanino, ditto, 10 -	5 - -	Paolo Vella - -	- - -	- - As a former Orderly Sergeant of his Excellency the Governor.	- - By decree, dated 19th Sept. 1818.
1022	Room, Sotto il Cembalo, 8.	2 - -	Giuseppe Calamatta -	- - -	- - As late Coxswain of his Excellency the Governor's barge.	- - During pleasure, by decree of 30th June 1806.
1293	Room and site at Cottonera, 366.	- - -	- Sah. and Anna Montagna.	- 3 10¾	- - In consideration of services rendered by their late father.	- - By decree, dated 1st July 1796, value cannot be ascertained without putting up the property to public competition.
	Country Property:					
79	Garden Ghajn Zoffiha, district of Casal Musta.	111 8 4	- - British, Irish, and Colonial Silk Company.	55 14 2	- - For 96 years, 4 months, and 10 days, to 24th Dec. 1925; the rent from 25th Dec. 1836 to the end of the lease at 83 *l.* 11 *s.* 3 *d.* sterling per annum.	In consequence of instructions from His Majesty's Government to afford facilities and assistance to this company, these terms have been conceded; and if more lands should be required, they are to be let on similarly favourable terms.
90 to 96	Lands and garden Boechetto, district of Notabile.	221 13 4	- - ditto - -	110 16 8	- - For 99 years, expirable 24th Dec. 1925; the rent from 25th Dec. 1836 to the end of the lease at 166*l.* 5*s.* per annum.	
230	Field Habel Fas, district of Seggieni.	9 7 2¼	- - ditto - -	4 13 7¼	- - For 97 years, 4 months, and 10 days, expirable 24th Dec. 1925; the rent from 25th Dec. 1836 to the end of the lease at 7 *l.*	
557	Shop at Notabile -	- 10 -	Giuseppe Grech -	- - -	- - As one of the Accatapani for the market, and Guardian of the Archives.	Prior to the year 1815.
563	Magazine at Notabile					
568	- - Ditto - -					
569	- - Ditto - -	2 10 -	Giovanni Micallef -	- - -	To insure to the inhabitants of Notabile the use of a baking-house - -	- - - ditto.
570	- - Ditto - -					
571	- - Ditto - -					
623	Lands il Fauva, district of Musta.	33 6 8	- - British, Irish, and Colonial Silk Company.	16 13 4	- - For 96 years, 4 months, and 10 days, expirable 24th Dec. 1925; the rent from 25th Dec. 1836 to the end of the lease at 25 *l.* per annum.	- - To encourage the rearing of silkworms.
154 to 173	19 gardens at different casals.	80 - -	- - The Deputy Luogotenenti of the respective casals.	- - -	Attached to their situations.	
	£.	598 5 6¼	£.	194 15 -		

(continued)

Number of Tenement.	Description, and where situated.	Value of Annual Rental.	By whom occupied.	At what Rent, where any.	In what Capacity, or for what Consideration, whether Pecuniary or otherwise.	Date and Particulars of the Authority, with any elucidatory Remarks.
	PART No. 4.—Allowed for Charity:	£. s. d.		£. s. d.		
61	Mezzanino Brittanica, 128.	8 – –	Marianna Prematt -	- - -	Owing to her poverty -	- - By decree, dated 14th Sept. 1826.
96	Building, containing 24 rooms, Sn Cristoforo, 119.	48 – –	Several individuals -	- - -	Owing to their poverty -	- - Under the authority of the late Lieutenant-governor.
176	Small house, Forni, 209	2 10 –	Antonia Mazza -	- - -	- - In consideration of her poverty, and of the large outlay incurred by her late husband to improve this tenement.	- - Originally granted to th late Vincenzo Mazza for life, at sc. 30 per ann., and by decree of 16 Oct. 1833 granted, rent-free, to Antonia Mazza.
288	House, Mercanti, 80 -	33 6 8	- - Deputies of a Greek church, for a chapel.	- - -	- - - - - -	- - By decree, dated 14th May 1832.
303	Two rooms, ditto, 128 (T.)	3 6 8	Maria Galdes - -	- - -	Owing to her poverty -	- - During the pleasure of Government.
399	Building, Sn Paolo,112	41 13 4	British merchants -	20 16 8	- - This place is allotted for an exchange.	- - By authority, dated 17th Jan. 1837. This indulgence has been granted to the merchants since 1833, in consequence of the declining state of their finances.
610	Room, Toro, 19 -	1 – –	Maria Vassallo -	- - -	- - As the widow of Vincenzo Vassallo, Sergeant of the Engineer's corps.	- - Since 1st Jan. 1826; by order of Government.
619	Room, ditto, 28 -	1 – –	Vincenza Carnana -	- - -	- - In consideration of her poverty.	- - By decree, dated 28th Jan. 1809.
700	House, Zaccheria, 28	15 – –	Mrs. R. Sarfaty -	5 – –	- - As the widow of Mr. Sarfaty, First Clerk of the Audit-office, and owing to her poverty.	- - By authority, dated 9th Sept. 1833.
1309	Upper story of Camerata, corner of Strada Tramontana, 8.	8 – –	- - Gartana Alojsia e Desideria Farrugia.	- - -	- - Daughters of the late Vinzo. Farrugia, Surgeon of the Grand Prison.	- - By decree, dated 13th June 1836.
1312	Two rooms in the Mezzanini, story of Camerata, 10.	4 – –	Dr. F. Bardon -	- - -	Owing to his poverty -	During pleasure.
1317	Three rooms, Tramontana, 4.	4 – –	Walburga Trigance -	- - -	- - Owing to her poverty, and for services rendered by her late father.	- - By decree, dated 1st Sept. 1822.
1318	Cellars, ditto, 5 -	– 5 –	Ignazio Attard -	- - -	A pauper	
1320	Cellars, ditto, 7 -	– 10 –	- - Giovanni Spiteri & others.	- - -	Paupers - - -	- - By verbal authority, during the pleasure of Government.
843 to 923	34 stalls round the market and Scesa Marina.	35 – –	Sundry individuals -	7 3 5	- - Granted by the former and present Government, either rent-free or at a quit-rent not exceeding 8s. 4d.	
	Country Property:					
572	Room at Notabile -	– 5 –	Rosa Debattista -	- - -	Paupers - - -	During pleasure.
573	Ditto - - -	– 5 –	Maria Farrugia -	- - -		
574	Ditto - - -	– 5 –	Maria Elejer - -	- - -		
575	Ditto - - -	– 5 –	Grazia Galea - -	- - -		
606	Field near Zabbar Gate	– 10 –	Maria Saliba Olivier	– 2 2¾		
	Second Class.—Perpetual Annuities:					
109	Living Sta Ubaldesca	1 13 4	- - The beneficiary Fra Luigi Mamo.	- - -	- - In consideration of his poverty and advanced age.	- - By decree, dated 19th Dec. 1830.
	£.	208 15 –	£.	33 2 3¾		
	PART No. 5.—Compensations for other Property, &c.:					
125	Room, Sn Carlo, 8 -	1 6 8	Liberata Godar -	- - -	- - In lieu of a casemate in the Cottonera Lines.	- - By decree, dated 26th May 1835.
133	House, Sn Domenico, 27.	10 16 8	Vincenzo Gravagna -	8 10 10	- - This reduction to continue till the expiration of the lease under which he held the casemate 51, Sda Fontana, which from 1st July 1836 was made over to the Ordnance.	By authority of 3d Mar. 1837.
172	Mezzanino Forni, 196	5 – –	Benvenuta & Plo Vella	– 8 4	- - As a compensation for a garden, of which her husband had the enjoyment rent-free, and resumed in the year 1808 to annex it to St. Antonio Garden.	- - By decree, dated 10th May 1811.
558	Room, Soccorso, 6 -	– 10 –	Rosa Cini - -	- - -	- - In lieu of a casemate at the Cottonera of which she had the enjoyment, and which was resumed by the Ordnance Department.	- - By decree, dated 18th June 1833.

Number of Tenement.	Description, and where situated.	Value of Annual Rental.	By whom occupied.	At what Rent, where any.	In what Capacity, or for what Consideration, whether Pecuniary or otherwise.	Date and Particulars of the Authority, with any elucidatory Remarks.
	PART No. 5.—Compensations for other Property, &c.—*continued.*					
		£. s. d.		£. s. d.		
718	Stable and calesse house, ditto, 114.	5 – –	Dr. S. F. Bonanni -	- - -	- - Rent-free for 30 years, from 23d April 1808, in lieu of stable, Ponente, 16.	- - By decree, dated 23d April 1808.
1362	House, S^{a} Cristoforo, 180.	- - -	Messrs. Woodhouse, B^{rs}	- - -	- - Rent-free for 45 years from 1st Jan. 1829, they having built the house at their own expense.	By authority of 2d Oct. 1828.
1378	Cellar at the Ospizio Floriana, S^{da} Brittanica.	- - -	- - ditto - -	- - -	- - Rent-free for 30 years from 1st Jan. 1830, having paid a fee of 100 *l.* sterling.	By authority of 26th Nov. 1829.
	£.	22 13 4	£.	8 19 2		

SUMMARY.

	Estimated Annual Rent.	Amount received.
	£. s. d.	£. s. d.
Part No. 1 - - - - -	558 3 4	—
Part No. 2 - - - - -	357 6 8	127 4 –
Part No. 3 - - - - -	598 5 6¾	194 15 –
Part No. 4 - - - - -	208 15 –	33 2 3¼
Part No. 5 - - - - -	22 13 4	8 19 2
£.	1,745 3 10¾	364 – 5¾

Land Revenue Office, Malta, 3 May 1837.

(signed) *Richard Cumberland*, Collector.

— No. 13. —

No. 13.
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B.
6 July 1837.

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K. C. B.

Sir, Downing-street, 6 July 1837.

HER Majesty's Commissioners of Inquiry have addressed to me a Report on the present state of the Department of Marine Police, the efficiency of which has been in some measure impaired by the recent transfer of the boatmen and revenue guards to the Department of Customs.

I concur with the Commissioners in thinking that the most expedient course to be pursued, with a view to insure the complete efficiency of the Marine Police, will be to attach this branch of the public service to the Department of Quarantine; I likewise subscribe to the propriety of the reasons which have induced the Commissioners to recommend that the Captain of the Port should be relieved from the duties of Sitting Magistrate of the Ports, and that the First Assistant in the Department of Marine Police should be appointed to act provisionally as Magistrate of the Ports, without increase of salary, until some permanent arrangement can be made on the general subject of judicature.

With regard to the application which the Captain of the Port has taken occasion to submit to Her Majesty's Commissioners, for such additional remuneration as he conceives ought to have accrued to him as a reward for the labour which he has performed in discharging the duties of Sitting Magistrate, I feel it to be impossible to take any other view of the merits of that application than that which has been adopted by the Commissioners.

The consideration which the Commissioners have bestowed on Captain Hunn's

No. 13.
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B.
6 July 1837.

application has enabled them to discover certain irregularities which have been committed in the allotments of official residences or quarters.

On this subject generally, I feel it to be my duty to acquaint you that the Queen's Government are of opinion that the rule recommended by the Downing-street Commission of 1830 should henceforth be strictly enforced; namely, that every individual employed in the public service should be remunerated by a fixed monied payment, to the exclusion of houses, and every other emolument and advantage whatever.

That rule it will be your duty to enforce as occasion may arise, by warning all persons, without exception, who shall be selected to fill any public employment in your Government, that quarters will not be provided for them at the public expense; and until the privileges now enjoyed by various public functionaries and other individuals shall have become extinct by the death or removal of the parties, you will take care that a special return of all the houses or quarters occupied rent-free, wholly or in part, by such parties, be in future inserted in the annual Blue Book.

I have, &c.
(signed) *Glenelg.*

— No. 14. —

No. 14.
Commissioners to Lord Glenelg.
3 July 1837.

Copy of a DESPATCH from the Commissioners to Lord *Glenelg.*

My Lord, Malta, 3 July 1837.

We stated to your Lordship by last packet that we should be prepared by this month to submit to your Lordship a plan for modifying the Chief Secretary's and Treasurer's offices. We now proceed to explain the details of this plan, and our reasons for proposing it.

The functions of the Treasurer of Malta have no analogy (as the name of his office would appear to suggest) with those of the Lords of the Treasury in England. The general control of the public revenue and expenditure is vested in the Governor, and by him exercised through the Chief Secretary. No expense can be incurred by any public functionary or other person, nor can any extraordinary payment be made, on the account of the Government, without an authority from the Governor. The duties of the Treasurer are simply to receive the money paid to the Government, to keep it in safe custody, and to disburse it to persons duly authorized to claim it. He is in fact simply the banker of the Government; and he performs for the Government of Malta nearly the same functions as are performed for the British Government by the Bank of England. The salary of the Treasurer is 900 *l.* a year, with a house rent-free, rated in the books of the Collector of Land Revenue at 40 *l.* a year. The total expense of the establishment of the Treasury is rather less than 1,800 *l.* a year.

In his answers to some written queries sent by us to every department of the Government, the Treasurer, Mr. Nugent, says, "Touching the expediency of consolidating the functions of the Treasury with those of another department, I have to observe, that shortly after these islands came into the possession of the British Government the offices of Public Secretary and Treasurer were vested in the same person, and that arrangement subsisted for many years. I am ignorant of the reasons which caused their disjunction, and am not aware of any practical objection to their being again united under one and the same officer (keeping the details of the business altogether distinct), if motives of economy suggest the measure; the more so, that the most useful and important attributions of a Treasurer, namely, the superintendence and control of the various branches of finance and management of the perception of the revenue, deliberately ascribed to, and exercised by, that officer for some time after the separation of the two departments, are now held to reside with the Chief Secretary."

In making recommendations for immediate changes in the civil establishments of Malta, we shall constantly keep in view the existing state of each department. We shall observe this caution for two reasons; first, in order to avoid causing unnecessary suffering to persons now holding offices under the Government; and, second, in order to avoid all unnecessary present burdens on the revenue of the island. If your Lordship should be disposed to carry our recommendations into effect,

effect, we may find it expedient, in certain cases, to recommend further changes to take place when the existing interests shall have ceased.

Your Lordship is probably aware of the heavy expense which is annually entailed on the Government of Malta by the large amount of pensions formerly granted by it. The items, as stated in the Blue Book for 1836, are as follows:

	£.	s.	d.
Pensions to persons connected with the Order of St. John of Jerusalem	2,130	9	–
Pensions granted on reduction of office	1,843	15	9
Pensions granted on superannuation, retirement, &c.	3,955	7	–
Pensions granted for military services	1,431	13	6
TOTAL £.	9,361	5	3

The total revenue of Malta in 1836 was 95,392 *l.*; of this sum, 23,864 *l.* arose from the rents of the Government lands and houses, leaving 71,528 *l.* for the produce of taxation. It results, therefore, that of the taxes levied in Malta, more than one-eighth is consumed in the payment of pensions.

Nor does the sum of 9,361 *l.* 5 *s.* 3 *d.* represent the entire annual expense of pensions in Malta. The Government have, at different times, made grants of Government houses rent-free, in the way of pension or compensation for past services. The value of the houses so granted is estimated by the Collector of Land Revenue at 393 *l.* 10 *s.* 6 ¾ *d.* a year.

The Government likewise disburses a sum of about 4,000 *l.* a year in alms. This sum is professedly applied to the relief of the poor; but we understand that grants have been made from it of small pensions (amounting to about 12 *l.* a year each), to widows of clerks in Government offices, of professional persons, and others not belonging to the working classes, whose families have been left in distressed circumstances.

We are not aware what compensation your Lordship will grant to the reduced officers of the Grain Department; but we apprehend that the increase of pensions from this source cannot fall much short of 1,000 *l.* a year. The retirement of Sir Frederick Hankey will likewise entail a further addition.

We should have great difficulty in conveying to your Lordship an adequate sense of the vehement and universal dislike of taxation which exists in this island, and of the vigilance with which every increase of the public burdens is watched. Although there is but an imperfect liberty of printed discussion, the amount of public money received by each person, and the duties which he performs, or has performed for it, are known with a precision and canvassed with an interest which are only possible in a small community. The salaries and pensions of the present and former servants of Government are known with far greater accuracy, and are much more generally discussed in Malta than in England, notwithstanding the attempted secrecy of Government in the one country, and the unbounded publicity of Government in the other.

For these reasons, we think that in carrying into effect the reductions in the civil establishments of Malta which seem to us requisite, the changes should be made without necessitating the grant of fresh pensions, where such an arrangement is practicable.

We therefore recommend, that as soon as Sir Frederick Hankey shall have been put on his retirement the present Treasurer be appointed Chief Secretary, and that he discharge the two offices jointly, at his present salary, and with the allowance of a Government house rent-free. In this manner an immediate saving will be effected, equal to the difference between the salary of the present Chief Secretary and the pension which he will receive on his retirement. The present Treasurer has been a considerable time in the service of the Government of Malta; and during his residence here he has become acquainted with the details of the Government, with the manners, opinions, and condition of the inhabitants, and with the language of business and of the educated classes.

We think it probable that if our recommendation of placing the Chief Secretary's office and the Treasury under a common head be adopted, it will be possible to make some arrangement for facilitating the receipt and disbursement of the Government money, by the assistance of a bank. A plan for uniting two private banks which already exist in the island, and for forming them into a new chartered bank, under the control and superintendence of the Government, has

No. 14.
Commissioners to Lord Glenelg. 3 July 1837.

been presented to us. We shall not attempt to mature this plan, until we know how far your Lordship may be disposed to approve of our recommendations contained in this despatch; but it seems to us probable that payments of Government money may be so arranged through a bank, as to dispense with the office of the Cashier of the Treasury, who has a salary of 428 *l.* a year.

The present Cashier of the Treasury, Sir Vincent Casolani, not finding his entire time occupied by the duties for which he receives a salary, has undertaken and performed many public duties for which he receives no salary. Besides being Cashier of the Treasury, he is Chairman of the Committee of the House of Industry, Chairman of the Board of the Monte di Pietà, and Member of the Permanent Committee of Charitable Institutions. In these several capacities he has taken an active part in the management of the Government Charities, and has obtained much valuable experience in the administration of a poor's fund. Your Lordship has been pleased to give instructions that our recommendations with respect to the Government Charities be carried into effect; and if there should be found no difficulty in their execution, we think that it will be expedient to place all the institutions for education under the same authority as the Government Charities. The new Committee of the Government Charities will consist of a small number of persons, of whom Sir Vincent Casolani will be one. But if the superintendence of the institutions for education be given to this Board, the duties will be too onerous to be performed gratuitously. We therefore think that the entire superintendence of the Government Charities and Institutions for Education may be given to Sir Vincent Casolani, who would continue to receive his present salary; and if the Chief Secretary's and Treasurer's offices should be consolidated (as we have suggested), it will be easy to provide for the performance of the Cashier's duties with little or no increase of expense, especially if the arrangement with regard to the bank could be made with safety. Sir Vincent Casolani is a Maltese, of enlightened opinions, and accustomed to the transaction of business; he has, moreover, that firmness which will be requisite for reforming the Government Charities, and for improving and extending the means of public instruction in this island. We beg leave to remark to your Lordship, that in the case of an extension and improvement of the system of instruction for the upper as well as the poorer classes, it will be expedient that the changes should be made under the direction of a person whose religious opinions agree with those of the inhabitants of the island.

The main advantages of the arrangement which we propose are two:

1. That the present Chief Secretary would be put on his retirement, a civil Chief Secretary appointed, and the almost sinecure office of Treasurer abolished, without any increase, and even with a diminution of expense.

2. That the services of the fittest person in the island for the Department of Government Charities and Public Instruction would be obtained with little or no increase of expense.

We have, &c.
(signed) *John Austin.*
George C. Lewis.

— No. 15. —

No. 15.
Commissioners, to Lord Glenelg, 31 August 1837.

Extract of a DESPATCH from *John Austin* and *G. C. Lewis,* Esquires, Commissioners for Inquiring into the Affairs of *Malta,* to Lord *Glenelg,* dated Malta, 31 August 1837.

In all our recommendations to Her Majesty's Government concerning the establishments of the island, we have aimed at the following objects: 1st. To reduce the public revenue taken from this small and poor community to the lowest amount consistent with the public service; and, in order thereto, to abolish every office appearing to be needless, and to diminish every salary appearing to be exorbitant: 2d. To reconcile the accomplishment of that paramount object, as far as we possibly can, with the pecuniary interests of the persons actually employed by the Government.

It was in pursuance of this policy that we recommended the merger of the office of Treasurer in that of Chief Secretary, and the appointment of the present

present Treasurer to the latter office on the retirement of Sir Frederick Hankey. By this arrangement the revenue would be relieved from an annual burden of nearly 1,000 *l.*; whilst Mr. Nugent's salary as Chief Secretary would be equal, or somewhat superior, to that which he receives as Treasurer. By any other arrangement which we can imagine, the revenue would continue charged with that needless burden, or else Mr. Nugent would be deprived of the whole or part of his official income.

Whatever be your Lordship's decision with respect to Mr. Nugent's appointment to the office of Chief Secretary, it will be our imperative duty to recommend the immediate abolition of the office of Treasurer. Of its needlessness there can be no doubt; and indeed Mr. Nugent himself has admitted in his answers to our queries, that it may, without inconvenience to the public service, be held, as formerly, in conjunction with the office of Secretary.

The Treasurer is merely a cashier, who gives security to a certain amount, and keeps a duplicate key of the Government money-chest. No additional security to the public is gained by the duplicate key being in his possession rather than in that of the Chief Secretary. The Government money-chest has two distinct locks and keys, one key being in the custody of the Treasurer, and the other in that of the Cashier. To show your Lordship how little security is afforded to the Government by the custody of one key being entrusted to the Treasurer, we may mention that the Treasurer has more than once been absent from the island for a long period of time, and that the Cashier has been appointed to act for him during his absence*.

As a remedy for the informality, suggested by your Lordship, that orders for the issue of public money would be addressed through the Secretary to himself, we would recommend that all orders for the issue of public money be signed by the Governor alone. We have consulted Mr. Thornton, the Auditor-general, on this subject, and he has expressed to us his opinion that the plan which we have suggested would afford to the Government all the security derived by it from the existing system, and would have advantages which the existing system wants; there seems, therefore, to be no sufficient reason for resorting to the plan suggested in your Lordship's despatch, of depositing the Government money with the Commissary.

Accordingly it appears to us that the office of Treasurer ought to be immediately merged in that of Chief Secretary; and that if Mr. Nugent be not named to the latter office, he ought to be put upon his retirement as soon as a new Chief Secretary is appointed. If we recommended that the needless office of Treasurer should be kept up till Mr. Nugent's death or retirement, we could not recommend the immediate abolition of any other needless office, without justly incurring the imputation of partiality.

In our Report recommending the consolidation of the offices of Chief Secretary and Treasurer, we stated to your Lordship that we had considered a plan for depositing the Government money in a private bank, but that we should not attempt to mature the plan until your Lordship's pleasure on the above-mentioned recommendation should be made known to us. When we made this statement we were strongly impressed with the advantages of such an arrangement, but we hardly expected that the obstacles to it could be surmounted; a recent consultation on the subject with Mr. Thornton (of whose judgment, probity, and zeal for the public service we entertain a very high opinion), has, however, convinced us that the obstacles which we supposed are nearly imaginary.

The Government Treasury is now used, not only for the deposit of Government monies, but also of litigated monies paid into court. On account of the delays in the administration of justice, the average amount of these last-mentioned monies is very considerable, viz. about 15,000 *l.* If the delays can be remedied, the amount will be much diminished; but whether the delays can be remedied or not, we shall recommend that litigated monies paid into court be

* It is stated in the Blue Book, that the Cashier has so acted for the Treasurer from the 15th June to 27th October 1818, from 15th October to 31st December 1821, from 1st July 1822 to 8th April 1823, from 19th May to 30th June 1827, from 6th to 24th December 1828, from 13th April to 12th October 1829, from 9th September to 3d December 1830, from 29th May 1832 to 31st March 1833, and from 8th May 1835 to 19th January 1836; that is, in all, 1,387 days, in less than 20 years, or nearly a fifth of the entire time.

No. 15.
Commissioners to Lord Glenelg.
31 August 1837.

be invested in the English funds, instead of being suffered to lie, as at present, without yielding interest. We shall likewise recommend that trustees be obliged to make a similar investment of trust-funds, which now, we understand, are frequently allowed to remain idle, or are often lost in hazardous speculations. When the court deposits shall have been removed from the Treasury, when the accounts of the Grain Department shall have been wound up, and when a definite arrangement shall have been made concerning the expense of the Maltese regiment, the balance in the Government chest will (in Mr. Thornton's opinion) scarcely ever exceed 5,000*l.*, and usually fall short of that amount. The revenue of the Government of Malta (as your Lordship knows) is less than 100,000*l.* a year; and all pensions and salaries are paid monthly.

There are in Malta two private banks, both of which have existed many years. They serve principally to save the time and trouble which payments in coin would cost the merchants. They are conducted on safe principles, the chief bank always keeping in its coffers a sum exceeding the amount of its notes in circulation. Now, these two banks might be united; the bank formed by their union might be chartered by the Governor, and the public money might be deposited in the chartered bank, under a stipulation inserted in its charter, that the Government should always have access to its books and accounts, for the purpose of ascertaining the state of its concerns; it might also be stipulated in the charter, that one or more of the Government officers should be directors of the bank *virtute officii*. We are told that the bank would be able to perform gratuitously the services of receiving and paying the public money, so that the arrangement would save the Government the cost of maintaining a cashier and clerks; and for reasons given by Mr. Thornton, which we shall state in our Report upon the arrangement, we think it would enable the Government to borrow money, when necessary, more advantageously than at present. It might also be followed by many indirect advantages which we shall likewise state in the same Report; for example, the Bank might afford a safe and convenient investment for many small capitals which are now unproductive, and the arrangement might bring the Government into frequent and friendly contact with the mercantile class, the most instructed, and, perhaps, the most influential in the island.

If the Government money could be deposited in the contemplated bank, the functions of Treasurer would cease, and the Chief Secretary would be relieved from them.

We believe that the Governor has recommended Mr. Greig, the Superintendent of Quarantine and Marine Police as Sir Frederick Hankey's successor in the office of Chief Secretary. Mr. Greig's prudence, conciliatory manners, and knowledge of the opinions and feelings of the Maltese undoubtedly go very far to qualify him for the place; but without pretending to pronounce on the respective qualifications of Mr. Greig and Mr. Nugent, we would suggest that the appointment of the latter would produce a greater saving to the public revenue than that of the former.

Should Mr. Greig be made Chief Secretary, the place of Superintendent of Quarantine and Marine Police will become vacant, and if any of the subordinate officers in the Department of Quarantine be fit for the place, we trust that the fittest of them will be appointed Mr. Greig's successor. We are convinced that such an appointment would be productive of much good. The appointee, bringing to the office a long familiarity with its very important duties, would not have to learn them at the cost of the public, by a course of blunders. If he were a Maltese, he could afford to perform those duties for a salary considerably lower than that of the present Superintendent; but, above all, the appointment would prove practically, and to the conviction of the public, that the principal places under the Government of the island will be open in future to its meritorious subordinate officers.

No. 16.
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B.
30 Sept. 1837.

— No. 16. —

EXTRACT of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K.C.B., dated Downing-street, 30 September 1837.

(No. 152.)

THE next question respects the office of Chief Secretary.

You have recommended the promotion of Mr. Greig, and I am happy to accede to your wishes in this respect.

The Commissioners report, with respect to the office of Treasurer, as follows: "Whatever be your Lordship's decision with respect to Mr. Nugent's appointment to the office of Chief Secretary, it will be our imperative duty to recommend the immediate abolition of the office of Treasurer. Of its needlessness there can be no doubt, and indeed Mr. Nugent himself has admitted, in his answers to our queries, that it may, without inconvenience to the public service, be held, as formerly, in conjunction with the office of Secretary."

It appears to me that this Report is conclusive against the continuance of this office. You will accordingly announce to Mr. Nugent that the office of Treasurer will be abolished from the 31st of December next, and that I shall submit to the Lords of the Treasury such claims for compensation as he may be desirous to prefer.

The following, therefore, are the arrangements which I contemplate respecting these offices:

First,—Sir Frederick Hankey, as you are already aware, will retire from the office of Chief Secretary. His claims to a retired allowance, whenever preferred, will be considered by the Lords of the Treasury.

Secondly,—Mr. Greig will succeed to the office of Chief Secretary, with a salary, as the Commissioners propose, of not less than 900*l.*, nor more than 1,000 *l.* per annum.

Thirdly,—Mr. Nugent's office will be abolished. His claims to compensation will be considered by the Lords of the Treasury.

Fourthly,—The duties of the Treasurer will be discharged by the Cashier provisionally, until it shall be determined whether the plan of employing a chartered bank can be adopted.

Fifthly,—The vacancy at the Quarantine Department will be filled up by the promotion of some officer in that branch of the service, who will receive the salary proposed by the Commissioners, viz. 300 *l.* per annum, if it be possible to find amongst those officers a person competent and willing to accept the place on those terms.

You will give immediate effect to these instructions.

— No. 17. —

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K.C.B.

No. 17.
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B.
1 Sept. 1837.

Sir, Downing-street, 1 September 1837.

WITH reference to your despatch, No. 59, of the 27th April last, I now transmit to you, for your information and guidance, a copy of a letter which has been received from one of the Secretaries of the Board of Treasury, conveying the sanction of the Lords Commissioners to the payment of an allowance at the rate of 200 *l.* per annum to Mr. Ward, and an allowance at the rate of 250 *l.* to Mr. Calvert, from the period of the reduction of their offices on the establishment of the late Government Grain Department, until opportunities shall offer for recalling them into the public service at Malta or elsewhere.

I have, &c.

(signed) *Glenelg.*

No. 18.
Commissioners to Lord Glenelg. 20 Sept. 1837.

— No. 18. —

COPY of a DESPATCH from the Commissioners to Lord *Glenelg*.

My Lord, Malta, 20 September 1837.

YOUR Lordship will remember to have given instructions, upon our recommendation, that the collection of the grain duties should be transferred to the Collector of Customs, and that the Broker's branch of the Grain Department (together with the office of Superintendent) should be kept up until the Government stock of wheat should be sold off. We annex a statement showing the present condition of the Grain Department, and the sales of Government wheat which have been made since the transfer of the grain duties to the Customs. From this statement it appears that the stock of Government wheat amounted on the 7th of April last to 17,262 salms, 2,740 salms of which had been sold, but not delivered to the purchasers. On the 8th of the present month (September) the stock of Government wheat amounted to 9,916 salms, 1,187 salms of which had been sold, but not delivered to the purchasers. Considering the quantity sold, but not delivered, as virtually disposed of, it appears that the Government wheat on the 7th of April amounted to 14,522 salms, and on the 8th of September to 8,729 salms, so that 5,793 salms were sold in the interval between those two days. Assuming that the rest of the Government wheat will not be sold in a proportionally shorter time than the part already sold, the whole will not be disposed of till the end of seven months, from the 8th of September.

It seems to us unnecessary that the Government should keep up a separate establishment for the custody and sale of so small a portion of wheat as that now belonging to it; we therefore recommend that the Government wheat be immediately transferred to the custody of the Collector of Customs, and that the Collector of Customs employ public licensed brokers to sell it. The Superintendent and Government Broker might then be at once placed upon their retirement; and for the sake of those gentlemen, who are now in a state of uncertainty as to their future means of subsistence, we would request your Lordship to take their cases into your consideration at an early period.

The amount of pensions paid by the Government of Malta is now exceedingly large in comparison with its revenue, and no new pension ought, in our opinion, to be granted by it without very strong grounds for making the grant. We presume, however, that it has been the usage in the colonial service to give compensation to persons whose offices have been abolished; and we recommend that such pensions be granted to Mr. Ward and Mr. Calvert as have been usually granted in similar cases. It appears to us that reforms in the administrative and judicial departments of this Government will be facilitated by the grant of moderate pensions to persons whose offices may be abolished immediately. Unless a provision of the kind were made for such persons, we ourselves should be unwilling to recommend reductions which would cause so much suffering to individuals, and Her Majesty's Government would perhaps be equally unwilling to adopt the recommendations. The more reflecting and influential part of the Maltese public would probably not object to the grant of such pensions; since, as they could scarcely fail to perceive, the grant would expedite the transition from the present system of administration to a system more economical, and more consonant with the public interests.

We have, &c.
(signed) *John Austin.*
George C. Lewis.

STATEMENT of Particulars referred to in a LETTER addressed to the Secretary of the Commissioners of Inquiry, under date of the 11th September 1837, by the Superintendent of the Grain Department.

Questions by the Commissioners of Inquiry.

1. Quantity of Government wheat at the date of the minute transferring the collection of the grain duties to the Customs?

Salms 14,522, exclusive of Salms 2,740 sold, but not then delivered to the purchasers.

N.B. The minute was dated the 7th April last, but the transfer did not take place until the 25th of the same month; no new transaction, however, occurred in the interval.

2. The

No. 18.
Commissioners to Lord Glenelg.
20 Sept. 1837.

2. The quantity sold since, with the prices at which it was sold?

Sold since the 7th April 1837; viz.

						s.	d.	
Salms	336	–	–	–	–	at 32	6	per salm, exclusive of duty.
–	110	–	–	–	–	32	–	—
–	180	8	–	–	–	30	10	—
–	334	–	–	–	–	30	–	—
–	159	15	–	–	–	29	–	—
–	380	–	–	–	–	28	4	—
–	58	13	–	–	–	27	4	—
–	593	12	–	–	–	23	4	—
–	3,551	2	–	–	–	22	4	—
–	1,134	1	–	–	–	20	8	—
	6,838	3						
[Refuse]	379	13,	averaging 17 *s.* 4½ *d.* per salm, no duty being payable thereon.					
Total Salms	7,218	–						

3. The quantity remaining, and its condition?

Remaining on the 8th September 1837, Salms 8,729, exclusive of Salms 1,187 (in perfect condition) sold, but not delivered to the purchasers.

The condition of the above unsold stock may be thus stated:

In closed fosses (where it has already been from 2½ to 3½ years) in good condition, and susceptible of preservation from 6 to 12 months longer, without deterioration of consequence		6,343
In open fosses and in the magazines now selling and prepared for sale to the public; viz.,		
In fair condition	1,500	
In middling or inferior ditto	700	
In bad ditto, and which may probably be sold as refuse for the consumption of animals	186	
		2,386
Salms		8,729

4. The actual establishment of the Grain Department?

There has been, virtually, no Grain Department since the 25th April last, when its collective branch was transferred to the Customs, and its reserve stock branch left with no other duties to perform than those relating to the custody of the then remaining stock of wheat (until it could be sold to the best advantage) and to the general winding up of the affairs of the said reserve stock, or, as it was denominated, the "Government Grain Concern," the assistance requisite for these two objects being furnished by the Customs.

With the exceptions of the Government Agent and myself (and who wait the decision of Her Majesty's Government in respect of their future position or employment) the whole establishment of the Grain Department was transferred to the Customs on the above occasion, since which period our salaries, together with the pay of an extra clerk at 3*l.* 2*s.* 6*d.*, and of an extra grain attendant at 2*l.* 11*s.* 6*d.* per month, have been charged against the Government Grain Concern.

(signed) *G. Ward*,
Superintendent.

Grain Department, La Valletta, 11 Sept. 1837.

— No. 19. —

Copy of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K. C. B.

No. 19.
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B.
14 October 1837.

Sir, Downing-street, 14 October 1837.

In a Report which I have received from Her Majesty's Commissioners of Inquiry, under date of the 20th of September last, they have called my attention to the inexpediency of keeping up the Grain Establishment for the mere purpose of disposing of the quantity of grain which still remains on hand; and they have therefore urged the propriety of transferring such grain into the custody of the Collector of Customs, and of taking measures for placing Mr. Ward, the Superintendent of the Grain Department, and Mr. Calvert, the Government Agent and Broker, on their retirement.

No. 19.
Lord Glenelg to Major-General Sir H. F. Bouverie, K. C. B.
14 October 1837.

My despatch, No. 135, of the 1st ultimo, has in one respect anticipated the suggestions of the Commissioners, by apprizing you of the amount of the compensation allowances which you are authorized to issue to Messrs. Ward and Calvert; and as I cannot but think it unnecessary to retain the services of both these gentlemen with the view of disposing of the remaining stock of grain, I would wish you to consider whether it may not be desirable to act on the suggestion of the Commissioners, by placing the stock in charge of the Collector of Customs, and selling it through the medium of the licensed brokers; or if you should be aware of any objection to this course, which has not occurred to the Commissioners, you might entrust the sales to the Government Broker on the same terms on which you might engage the services of such licensed brokers.

I have, &c.

(signed) *Glenelg.*

— No. 20. —

No. 20.
Commissioners to Lord Glenelg.
1 Nov. 1837.

EXTRACT from a DESPATCH from *John Austin* and *Geo. C. Lewis*, esquires, Commissioners of Inquiry into the Affairs of Malta, to Lord *Glenelg*, dated Valletta, 1 November 1837.

WE have recently received a communication from the Governor, stating his Excellency's opinion that, in consequence of the recent changes, the salaries of the undernamed officers ought to be fixed as follows:

Mr. Greig, the Chief Secretary, 1,000 *l.* a year with a house rent-free.

Mr. Bonavia, Superintendent of Quarantine and Marine Police, 400 *l.* a year.

Captain Carleton, Captain of the Quarantine Harbour, 250 *l.* a year.

Mr. Borg, First Clerk in the Department of Quarantine, 200 *l.* a year.

It appears to us that the salaries of these officers ought to be fixed at the above rates recommended by his Excellency.

In a former report we intimated that 300 *l.* a year would be a sufficient pay for the office of Superintendent of Quarantine, or for the equivalent office of Secretary of the Board of Health. But the greater knowledge which we have subsequently acquired of the wants and habits of the Maltese, has satisfied us that 400 *l.* a year (equal to 5,000 Maltese scudi, or 10,000 French francs) is about the fit salary for the head of a department, if a native of the island. The importance of the office, and the responsibility annexed to it, will not be affected by any recommendation which we may make with regard to the constitution of the Board of Health. Whatever be the constitution of the Board of Health, the ordinary administration of the Quarantine Department will necessarily be conducted by a paid officer, bearing the title of Secretary to the Board of Health, or the present title of Superintendent; and the Board of Health, consisting of unpaid members, will not be so properly an administrative body as a check on the administration of the Secretary or Superintendent.

We trust that we may, without presumption, express our entire satisfaction at the appointments recently made in Malta by your Lordship and by the Governor. Mr. Greig will, in our opinion, discharge the important duties of the office of Chief Secretary with prudence, moderation, and impartiality; and although we have had no intercourse, either private or official, with Mr. Bonavia, the present Superintendent of Quarantine and Marine Police, we understand that his integrity and appropriate knowledge eminently fit him for his new office, and that his appointment has given very general satisfaction to the inhabitants of the island. We beg leave to add that on public grounds we entirely approve of the abolition of the needless office of Treasurer, however we may regret the loss and inconvenience which its abolition may have occasioned to the individual filling it.

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THE COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

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AND OF

CORRESPONDENCE THEREUPON.

[*Presented to Parliament by Her Majesty's Command.*]

PART I.

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APPOINTED TO INQUIRE INTO THE

AFFAIRS OF THE ISLAND OF MALTA,

AND OF CORRESPONDENCE THEREUPON.

Part II.

(In continuation of Parl. Paper, No. 141, Sess. 1837-8, Ordered to be printed, 16 February 1838.)

[PRESENTED TO PARLIAMENT BY HER MAJESTY'S COMMAND.]

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REPORTS of the Commissioners appointed to inquire into the Affairs of the Island of Malta.

— No. 1. —

No. 1.
Commissioners to Lord Glenelg, 15 Nov. 1837.

Extract of a DESPATCH from *John Austin*, Esq. and *George C. Lewis*, Esq., Commissioners of Inquiry into the Affairs of *Malta*, to Lord *Glenelg*, dated Malta, 15 November 1837.

WE send herewith copies of the Gazette containing the ordinance establishing the new tariffs.

A. D. 1837.

PROCLAMATION by his Excellency Sir *Henry Frederick Bouverie*, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable Military Order of the Bath, Major-General of Her Majesty's Forces, Governor and Commander-in-Chief in and over the Island of Malta and its Dependencies, and Commander of the Troops serving within the same.

The Governor is hereby pleased to promulgate the following ordinance of his Excellency the Governor in Council, bearing date the 30th day of October last, to be observed as a law within these possessions.

By command of his Excellency,
H. Greig,
Chief Secretary to Government.

Palace, Valletta, 3 Nov. 1837.

(L. S.)—H. F. Bouverie, Governor.

Anno Regni Victoriæ Britanniarum Reginæ Primo.

AN ORDINANCE of the Governor in Council for abolishing the existing Duties on Imports and the existing Tonnage Dues, and for imposing other Duties on Imports and other Tonnage Dues in lieu thereof.

Preamble.

Whereas it is expedient that all such facilities as are consistent with the necessity of levying a sufficient revenue for the public service should be given to the trade of these islands; and whereas the simplifications of the existing duties on imports and the existing tonnage dues, which are made by the present ordinance, will tend to facilitate the same; and whereas his Excellency the Governor has received from Her Majesty's Principal Secretary of State for the Colonial Department, instructions to recommend to the Council of Government the adoption of the tariffs annexed to the present ordinance; his Excellency the Governor, with the advice and consent of the said Council of Government, hereby enacts as follows:

Existing duties on imports and existing tonnage dues to cease on the 9th of November next.

1. The operation of the tariffs (B.), (C.), (D.), and (E.), annexed to the proclamation of the 8th of December 1832 (No. 12), of the tariff (C.), annexed to the minute of the 18th of May 1835, and of all regulations and other provisions contained in the said tariffs respectively, shall cease on the close of the 9th day of November next. The operation of the proclamation of the 22d of January 1833 (No. 1) shall also cease on the close of the same 9th day of November next.

New duties on imports and new tonnage dues to commence from the same day.

2. From the close of the same 9th day of November next, the collector of customs shall levy, on the account of the Government, the duties, dues, and fees specified in the three tariffs annexed to the present ordinance.

The collector of customs to appoint places for bonding imports.

3. The collector of customs shall appoint warehouses and fosses for the bonding of articles of merchandise now or hereafter liable to duties on importation.

Dues for store-rent on articles bonded in the Government warehouses and fosses.

4. Articles bonded in warehouses and fosses belonging to the Government shall be liable to the dues for store rent which are specified in the tariff (A.), annexed to the present ordinance.

No bonded article to pay duty while in bond, or on exportation.

5. No bonded article shall be liable to any duty on importation so long as it shall remain in bond, or on its being released from bond for immediate exportation.

No article to be released from bond until duty has been paid.

6. No article shall be released from bond for consumption until the entire duty upon it shall have been paid.

No drawback of duties imposed by this Ordinance. Exception.

7. No duty paid on any article by virtue of the present ordinance shall be returned to the owner of such article on the exportation thereof. It is however hereby provided, that for every 210 rotoli of flour, semola, paste, biscuit, or other manufactured wheat, which the owner thereof shall produce to the collector of customs, and shall immediately thereafter export from this island, he shall receive the amount of the duty upon one salm of wheat.

Interpretation of the term "Collector of Customs," in this Ordinance.

8. The term "collector of customs," as occurring in the present ordinance and in the tariffs annexed thereto, comprehends not only the collector of customs, but any person or persons duly authorized to act on his behalf.

TARIFF (A.)

DUTIES on IMPORTS and DUES for STORE RENT, which the Collector of Customs is required to levy on the Account of the Government of *Malta*.

	Import Duties.			Store-Rents on Articles Lodged in Bond.		
	£.	s.	d.	£.	s.	d.
Beer, per Maltese barrel	–	2	0	–	–	1
Cattle:						
Bullocks and other animals of the kind, per head	–	10	–			
Horses and mules, per head	1	–	–			
Charcoal, per salm	–	–	6	–	–	1
Grain:						
Wheat, per salm	–	10	–	–	–	2
Indian corn, per salm	–	6	–	–	–	2
Barley, per salm	–	4	–	–	–	2
Saggina, per salm	–	3	–	–	–	2
Other inferior grains	–	5	–	–	–	2
Manufactured grain, per cantar	–	6	–	–	–	2
Wheat, Indian corn, barley, or other inferior grains, if damaged so as to be unfit for the food of man (commonly called frumentazzo), per salm	–	2	–	–	–	2
Manufactured grain, if damaged so as to be unfit for the food of man, per cantar	–	2	–	–	–	2
Oil, olive, per caffiso	–	–	6	–	–	1
Potatoes, per cantar	–	–	10	–	–	2
Pulse and Seeds:						
Beans, caravances, chick-peas, kidney-beans, lentils, lupins, peas, and vetches, per salm	–	2	–	–	–	2
Carob-beans and cotton seeds, per cantar	–	–	6	–	–	2
Spirits; viz. for every Maltese barrel of such spirits of any strength not exceeding the strength of proof by Sikes's hydrometer (namely, London proof), and so in proportion for any greater strength than the strength of proof	1	2	–	–	–	2
Vinegar, per Maltese barrel	–	2	–	–	–	2
Wines, the value of which shall exceed 15 *l.* per pipe of 11 Maltese barrels, per Maltese barrel	–	11	–	–	–	2
All other wines, per Maltese barrel	–	2	–	–	–	2

Observations.

1. The duties payable by the salm on grain, pulse, and seeds (except large Sicilian beans), to be charged by the strike measure. The duties on large Sicilian beans and on charcoal, to be charged by the heaped measure.

2. Every liquid compounded of spirit and any other ingredient or ingredients, and containing more than 25 per cent. of spirit of the strength of proof, to be liable to the duty on spirits which is imposed by the present tariff.

3. The store-rents on grain lodged in bond, to be payable from the day on which the grain was lodged. The store-rents on every other article mentioned in the present tariff, to be payable from the 10th day after the day on which such article was lodged.

TARIFF (B.)

TONNAGE DUES which the Collector of Customs is required to levy on the Account of the Government of *Malta*.

Vessels discharging merchandise in the island shall, on clearing outwards, pay for every ton, or any part thereof, 6*d*.

No. 1.
Commissioners to Lord Glenelg, 15 Nov. 1837.

TARIFF (C.)

FEES which the Collector of Customs is required to levy on the Account of the Government of *Malta*.

	£.	s.	d.
For each certificate under the office seal - - - - -	–	2	6
For each sheet of printed official forms - - - - - -	–	–	2

Passed 30th October 1837,

W. Sim, Clerk of the Council.

By command,

H. Greig,
Chief Secretary to Government.

— No. 2. —

COPY of a DESPATCH from the Commissioners to Lord *Glenelg*.

My Lord, Valletta, 26 December 1837.

No. 2.
Commissioners to Lord Glenelg, 26 Dec. 1837.

THE chief civil and military command of the island of Gozo is now vested, under the Governor of Malta, in an officer named the Lieutenant-governor of Gozo. This officer has a general superintendence over the public affairs of Gozo; but his duties fall principally under two heads, viz. the direction of the Government charities, and the direction of the police.

The powers recently given to the Committee of the Government charities were limited to Malta; and the reforms carried into effect under the superintendence of this Committee have hitherto been confined to the Malta charities. We recommended that all the Government charities should be placed under the same authority, and your Lordship gave instructions accordingly. It will unquestionably be most convenient and economical that all the Government charities should be brought under one management; and we believe that the Governor intends to place the Government charities in Gozo under the superintendence of the Committee, from the 1st of January next; so that one main branch of the duties of the Lieutenant-governor of Gozo will then cease.

The Island of Gozo contains rather more than 16,000 inhabitants; its area is equal to 27 square miles; and it is separated from Malta by a strait, which can be crossed by a rowing-boat in rather less than half an hour. It seems to us that there is no reason for maintaining an officer in Gozo, with an intermediate authority between the Governor and the officers of the several departments. Each department in Malta ought to have a branch in Gozo, managed by an officer detached from the department in Malta, and immediately subordinate to the head of it.

The Lieutenant-governor of Gozo has a salary of 257*l.* 3*s.* a year, with an allowance of 83*l.* 7*s.*, making altogether 340*l.* 10*s.* a year, and a house rent-free. We do not contemplate the necessity of ultimately keeping up an office in Gozo, with a salary of this amount; but the salary is not so large as to make its immediate reduction an object of importance. We, therefore, recommend that the office of Lieutenant-governor of Gozo be abolished; that Major Bayley, the present occupant of it, be appointed "inspector of police for the Island of Gozo," and be placed on the establishment of the executive police of Malta, and that his salary remain, for the present, at its actual amount of 257*l.* 3*s.*, with an allowance of 83*l.* 7*s.* a year, but that he be required to pay the full rent of his house, so long as he shall continue to occupy it.

We have, &c.

(signed) *John Austin.*
G. C. Lewis.

— No. 3. —

(No. 219.)

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K. C. B.

No. 3. Lord Glenelg to Major-General Sir H. F. Bouverie, 2 March 1838.

Sir, Downing-street, 2 March 1838.

I HAVE received a Report from Her Majesty's Commissioners of Inquiry at Malta, dated 26th December 1837, in which they propose the abolition of the office of Lieutenant-governor of the Island of Gozo; that Major Bayley, the present occupant of that office, be appointed inspector of police for the Island of Gozo, and be placed on the establishment of the executive police of Malta, and that his salary remain for the present at its actual amount of 257 *l.* 3 *s.*, with an allowance of 83 *l.* 7 *s.* a year; but that he be required to pay the full rent of his house, so long as he shall continue to occupy it.

The motives of these recommendations appear to be that, from the commencement of this year, the duties of the Lieutenant-governor of Gozo had been materially reduced by the altered ministration of the public charities; that the interposition of a Lieutenant-governor between yourself and the subordinate officer of the Island of Gozo, is an inconvenient and needless circuity in the despatch of your ordinary business; and that the office of Lieutenant-governor may therefore be ultimately reduced, not only without prejudice, but with benefit to the public service. The effect of the present proposal is, however, only to change Major Bayley's title, and to place him, with regard to house-rent, on the same footing as that to which all the other public officers have been reduced.

I concur in the propriety of these arrangements, and authorize you to carry them as promptly as possible into effect.

I am, &c.
(signed) *Glenelg*.

— No. 4. —

EXTRACT of a DESPATCH from *John Austin* and *G. C. Lewis*, Esqrs., Commissioners of Inquiry into the Affairs of Malta, to Lord *Glenelg*; dated Malta, 27 December 1837.

No. 4. Commissioners to Lord Glenelg, 27 Dec. 1837.

WE have recently been engaged in devising means for protecting the duty on imported spirits against a distillation of native spirits free from duty, which the negligence of the persons who formerly conducted the Government of this island has suffered to grow up. This protection cannot be given without virtually prohibiting the native distillation; and, as this virtual prohibition will naturally cause considerable loss to the actual distillers, it cannot, in justice, be carried into effect without a temporary pecuniary sacrifice on the part of the Government. But from the best information which we can obtain, we think that the native distillation now deprives (or, we might almost say, defrauds) the revenue of at least 5,000 *l.* a year; and that the total compensation due, in justice, to the actual distillers, will not exceed, or even amount to, 5,000 *l.*

We have also prepared a digest (with numerous additions and amendments) of the laws regulating the collection of the import duties. The draft of this digest will be submitted to the principal merchants, and to some of the judges and other legal authorities, and will afterwards be proposed by the Governor to the Council of Government. This digest, and the law for protecting the import duty on spirits, will complete the measures proposed by us, with regard to the Customs revenue; and, we believe, will place this principal branch of the revenue raised from taxation, upon a secure and unobjectionable basis.

— No. 5. —

REPORT on the DISTILLATION of SPIRITS in Malta.

No. 5. Report on Distillation of Spirits, 8 Jan. 1838.

My Lord, Malta, 8 January 1838.

IN our Report on the duties on imports, of the 4th of May last, we recommended that a duty of 22 *s.* per barrel on spirits imported into Malta should be substituted for the existing duties of 6 *s.* per barrel on imported English spirits, and

and of 12*s.* per barrel on all other spirits; and we recommended that a duty should be, at the same time, imposed on spirits manufactured in the island, in order to protect the import duty.

By an ordinance of the 3d of November last, a duty of 22*s.* per barrel, or 2*s.* per gallon, was imposed on all imported spirits of any strength not exceeding the strength of proof.

The object of the duty on spirits imported into Malta was to levy a revenue for the public service. The Government, however, omitted to take the requisite measures for the protection of the import duty, and suffered a native distillation of spirits free from duty to grow up under the shelter of the duty on foreign spirits. In 1837, there were six licensed distillers in Malta, whose manufacture was subject to no other duty than an annual fee of 8*l.* 6*s.* 8*d.* on the licence. The distillers, in answers to queries sent by us, admit that they distilled 50,732 gallons in 1836; and one of the distillers stated to us his opinion that the native distillation was recently going on at the rate of nearly 90,000 gallons a year.

Whatever may have been the precise quantity distilled in the island, it certainly was considerable, and would have been still further increased by the recent increase of the duty on imported spirits. The recent increase of the duty on imported spirits would, in fact, have operated principally as a bounty on home-made spirits, and would probably have diminished, instead of increasing, the revenue raised upon spirits, if it had not been accompanied by some other measure.

There could be no reason why the Government should not adopt the means requisite for the protection of the import duty on spirits. Malta has no natural facilities for distillation. The materials from which the native spirit is made, and the fuel with which it is made, are both imported. The manufacture could not exist for a day without a protecting duty on foreign spirits. If foreign spirits were imported without a duty, or if native spirits were subject to a duty equal, or nearly equal, to the duty on foreign spirits, the native distillation would cease. The distillers (as may be seen by the petition annexed to this Report) fully admit that they cannot compete with the foreign distiller on equal terms, and that the imposition of a duty on native spirits equal to the duty on foreign spirits would be equivalent to a prohibition of distilling. The capital employed in distillation in Malta, and the number of persons supported by it, are small; the spirit produced is also of a very bad quality. It is further to be considered that a duty on spirits, not sufficiently high to produce smuggling or illicit distillation, is generally admitted to be one of the least objectionable means of raising a revenue.

For these reasons it was incumbent on the Government to take effectual measures for protecting the duty on imported spirits. This protection could be afforded in either of the three following manners, the respective advantages and disadvantages of which we proceed to explain:

1. A duty might have been imposed on native spirits, equal, or nearly equal, to the duty on imported spirits.

This, as being the natural and obvious course, first occurred to us; but when we came to devise the means of carrying it into execution, we found that it was opposed by serious obstacles. On consulting the English statute for regulating the collection of the duty on spirits, we perceived that its provisions were too elaborate and complicated to be applied to Malta without considerable modifications. Moreover, the distillation contemplated by the English statute, is distillation from grain; whereas the Maltese spirit is distilled from fruit and wine. It was therefore manifest to us, that a duty could not be levied on spirits distilled in Malta, without the assistance of an experienced English excise officer, who should be able to adapt the English law to the circumstances of the island, and should superintend the execution of it for some time after its introduction. The expense of procuring an English excise officer, and of making the establishment of revenue officers requisite for the collection of the duty, would have been considerable. And after all, the duty would probably have been imperfectly collected, on account of the difficulty of finding persons, with small salaries, sufficiently intelligent to execute a complicated law, and sufficiently honest to resist the temptation of colluding with the distillers. If, therefore, the Government had attempted to levy a duty on native spirits, it would have lost, not only the expense of an excise establishment, but also a portion of the duty which ought to have been levied.

2. These reasons, and the inconvenience of waiting until an excise officer could

could be procured from England, determined us to abandon the plan of imposing a duty on native spirits directly; and we accordingly thought of resorting to a duty on imported raisins, and other fruit from which spirit may be distilled.

This course was less objectionable than that just mentioned, inasmuch as it could be carried into effect without difficulty or delay. As nearly all the spirit made in Malta is distilled from imported fruit, a duty on imported fruit, if sufficiently high, would have amounted, in practice, to a duty on native spirits, and would thus have protected the duty on imported spirits. Some spirit might, however, still be made from inferior wine, and from fruit grown in the island; and the duty on fruit could not, without inconvenience, be limited to fruit from which spirits would be distilled, and would thus cause a disturbance to trade greater than was requisite for the object to be attained.

It is moreover to be observed that a high duty on fruit would have nearly amounted to a prohibition to distil, and therefore would have inflicted a heavy loss on the actual distillers.

3. It seemed to us, therefore, expedient to resort, if possible, to the third course; viz. for the Government to prohibit distillation, giving a fair compensation to the actual distillers for the loss of their trade, and for the diminished value of their property invested in it.

Any duty on native spirits, giving an efficient protection to the duty on foreign spirits, would have nearly amounted to a prohibition to distil. Now, although the distillers were doubtless aware that their trade had only been suffered to grow up by the inadvertence of the Government, and that a duty would probably be imposed on home-made spirits, if the attention of the Government should be called to the subject; yet their distillation had been long permitted, and the licences of the distillers had been annually renewed, without any remark being made by the Government. The distillers would therefore have had some cause to complain, if the Government, having by one duty called their trade into existence, had by another duty suddenly annihilated it, without making them any compensation.

Accordingly, we advised the Government to adopt the course just mentioned; and after a long and somewhat difficult negotiation with the distillers, founded upon a precise valuation of their property employed in the manufacture, the Government induced them to accede to the terms offered by it. The entire compensation agreed to be paid to the six distillers is 1,625 *l.*; and we have prepared an ordinance prohibiting distillation, which the Governor has brought before the Council, and which will shortly be passed. It was necessary to make this arrangement at once, without waiting for your Lordship's sanction, as several cargoes of raisins were actually in port, and others were and are daily expected; and a delay even of a few days would have been attended with a loss of several thousand pounds to the revenue.

The prohibition to distil in Malta is precisely analogous to the prohibition to grow tobacco in the United Kingdom. In both cases the branch of industry is unsuited to the natural circumstances of the country; and could not be carried on under a duty equal to the import duty, or if no import duty existed. In both cases the Government gains by the duty, whilst the public loses nothing by the prohibition, inasmuch as the home production is naturally unprofitable.

As the quantity of spirits imported into Malta is considerable (60,709 gallons in 1836), and as the native distillation only exists in consequence of the import duty, it is manifest that the price of all spirits consumed in the island is determined by the price paid by the consumer for imported spirits (a price which includes the duty). The cessation of the native distillation will not, therefore, increase the price of spirits in Malta; consequently, there is no reason for supposing that the consumption will be diminished. Now, if the consumption should not be diminished, a quantity of spirits, equal to the quantity now distilled in the island, will be imported. The distillers (as we have already stated) admit that they distilled 50,732 gallons in 1836. The native spirit being, for the most part, of a low degree of strength, this quantity cannot be safely estimated as equal to more than about 35,000 gallons of the strength of proof. As the imported spirit is not in general of a low strength, an addition to the annual imports of more than 35,000 gallons of spirits cannot be safely reckoned on; which would give an additional revenue of 3,500 *l.* a year.

This increase will be obtained without any increased expense of collection, and without affording any additional facility to frauds upon the revenue; so that it

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it will eventually enable the Government to remit an equal amount of more objectionable taxes.

We trust that Her Majesty's Government, on considering the above statements and arguments, will approve of the advice which we offered to the Local Government concerning this matter, and of the conduct of the Local Government in adopting it. The sums promised to the distillers will all become due in the course of the year, and will be defrayed out of the current revenues. The difficulty, as your Lordship will perceive, has grown out of the negligence of the persons who formerly conducted the Local Government; and it has been surmounted with only a slight temporary expense to the public, without causing any serious inconvenience to the persons whose capital was engaged in the manufacture, and without any loss of popularity to the Government. We understand that the distillers are, on the whole, satisfied with the compensation awarded to them; and we believe that the motives for the prohibition to distil, although apparently a discouragement of native industry, have been appreciated and approved by all the more intelligent part of the inhabitants.

We have, &c.
(signed) *John Austin*,
G. C. Lewis.

To The Lord Glenelg,
&c. &c. &c.

(Translation.)

May it please your Excellency,

The humble Petition of Melchiore Savarese & Co., Brothers Demajo, Giuseppe Ellul and Filippo Tabone, Spirit and Brandy Distillers,

Respectfully showeth,

That, in consequence of the information given to them of the intention to impose on spirits distilled in these islands a duty equal to that which is paid on spirits imported from abroad, they have not failed to take into their most serious consideration whether their own means and the circumstances of the country render them capable of competition with foreign distillation; but the result of all their calculations is, that such an imposition of duty is equivalent to a positive prohibition of any longer carrying on the distillation and preparation of spirits.

They certainly cannot maintain competition with foreign distilleries, because the fuel, the substances from which the spirit is extracted, those which give to it its various flavours, and even the very stills, utensils, and implements are almost all imported from abroad at a heavy expense; because, besides the original cost, there must be added the expense of freight, carriage, commissions, and the like, while those who distil spirits abroad are generally free from any expense, and the fuel and the materials reducible into spirits reach them at the first and cheapest cost.

Moreover, as the spirits which are distilled in this country are almost always inferior in strength or degree to those imported from abroad, in order to render ours equal to them it is necessary, in general, to distil them twice, so that the 2*s.* laid on every gallon of spirits imported are equivalent, when the low degrees of our spirits are taken into account, to 3*s.* 6*d.* a gallon.

In like manner, as the spirits distilled in Malta are principally compounded into brandy and anniseed (zambur) and the like, which are consumed by the lower classes, and the sale of such liquids belongs to the commoner sort of shops and those in the country, which are in the habit of buying on credit, and never for ready money, so that, adding to the price of the spirit the duty, the interest on the credit, and the profit which the shopkeepers are accustomed to make, the price would become so high as, in a great measure, to prevent its sale, as it could not be sold in retail.

From what is above set forth, as also under other considerations naturally deducible from the nature of things, it is most clearly shown, that any competition of our distilleries with those abroad is rendered absolutely impossible, so that the imposition of a like rate of duty is, as before observed, tantamount to a positive prohibition of a branch of industry supporting hundreds of families; that is to say, those of the distillers, their workmen, and the retail shopkeepers.

In order to the prosperity of the national distilleries, they ought certainly to be protected by a duty on the importation of foreign spirits higher, by at least one-half, than that which is to be fixed for spirits made in Malta; so that, if the latter were to pay 1*s.* or 1*s.* 6*d.* per gallon, the foreign should pay 2*s.* or 3*s.*

The national industry being thus protected, such protection would also extend itself to agriculture, as the price of the grape, now very low, would be augmented in proportion, and thus the plantation of the vine would be encouraged, and become more extensive; the more so, if a portion of the duty not taken by the Government on our spirits were to be imposed on

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Report on Distillation of Spirits, 8 Jan. 1838.

on raisins, currants, and other like articles from which spirits are extracted. If this were to take place, it is certain that, in a short time, the most uncultivated parts of the island would be seen to flourish with extensive vineyards, which would be of no small service to agriculture, as also to the daily labourer.

Such a measure, too, would in part prevent the further progress of an evil fatal to the island; that is to say, the purchase of all the necessaries of life from abroad, and, in return, paying for them in effective cash, as at least the few grains which are spent by the poor in spirituous liquors would continue to circulate in the country between the distiller and the vine-dresser, and would not go, with all our other substance, to enrich the foreign seller of grain, wine, oil, charcoal, articles of clothing, and all the other necessaries of life.

Nor can it be maintained that the spirits made in this country might, through the negligence of the distillers, be rendered prejudicial to those making use of them, as the Government might very well subject all such distilleries to the inspection of any person it might think proper to select to take care that this branch of industry should not, in any manner, prejudice the public health, the more so as such a superintendence would necessarily produce not only advantage to the distilleries, but lead to their perfection.

It is necessary also to observe, that the cessation of our distilleries would give encouragement to the making of spirits in small quantities and illicitly. A contraband dealer could not contend with the distilleries of the country, because these supply the shopkeeper in retail, and at a moderate price, and thus to such a speculator the profit would not be in proportion to his assumed responsibility; but having to contend with foreign spirits, the gain is so great and self evident as to encourage the contraband dealer; in fact, a barrel of spirits a day, which might be easily made in any private house, would leave a profit of 1 *l.* 2 *s.*; or a little less, equivalent to the duty laid on 11 gallons, forming the barrel. Such an illegal speculation would, moreover, much more prejudice the exaction of the duty belonging to Government than any legal facilitation given to the distilleries by the protection of a lower rate of duty.

And, lastly, as a quantity of spirits made in Malta is annually exported to foreign places, and especially to the coast of Barbary, the suppression of the distilleries would cause the loss of a branch of industry, which, in some manner, draws money from abroad.

Considering things under this point of view, your petitioners must necessarily hope from your Excellency not only the prevention of their total ruin, by the imposition of an unforeseen duty, but also some protection of their industry, as has been the case in regard to agriculture, by the imposition of a duty on grain. But if the reasons set forth should not be deemed so well founded as to induce the Government in its discretion to diminish and render proportionable the projected duty, your humble petitioners must in such case set forth, that they are at present provided with many articles reducible into spirits, of the value of several thousand scudis, which they would have in a great part to lose, and this, besides the damage they would have to suffer by the breaking up of their establishments, the under sale of their stills, and the total cessation of their only trade. Besides, not only would they be no longer able to assist the shopkeepers, their debtors, with new credit; but, on the contrary, they would be under the necessity of urgently getting in from them, if they can succeed in so doing, several thousand scudis owing to them, which would be to extend the ruin also to so many families, who, by the retail sale of the products of the distilleries, are accustomed to gain their living.

Wherefore your petitioners humbly pray,

That the duty to be imposed on spirits distilled in these islands may be the half of that already laid, or which may hereafter be laid, on foreign spirits.

That on spirits made in Malta and exported abroad, any duty they may have paid thereon should be returned to them.

And in case the Government should persevere in the opinion of fixing on Maltese spirits a duty equal to that which is paid on spirits imported from abroad, in such case your petitioners humbly pray that your Excellency will be pleased to grant them, so as to prevent their immense loss, the time necessary for converting into spirits all the articles which they have already purchased for that object, which they could not effect in a shorter time than eight months, and to grant them, lastly, an indemnification for the loss which they must always have to suffer by being compelled to suppress their distilleries, and abandon their usual business.

And as in duty bound, &c.

16 December 1837.

—No. 6.—

No. 6.
Major-General Sir H. F. Bouverie, to Lord Glenelg, 3 Jan. 1838.

(No. 2.)

COPY of a DESPATCH from Major-General Sir *H. F. Bouverie*, K. C. B., to Lord *Glenelg*.

My Lord, Malta, 3 January 1838.

HER Majesty's Commissioners of Inquiry having written to your Lordship very fully on the necessity of prohibiting the distillation of spirits in these islands, for the due protection of the revenue, I need not trouble your Lordship with any details,

No. 6.
Major-General Sir H. F. Bouverie to Lord Glenelg, 3 Jan. 1838.

details on the subject; and concurring, as I do, most entirely in the views those gentlemen have taken on the subject, I have had no hesitation in assuming the responsibility of complying with their recommendation to pay the sum of 1,625 *l.* as a compensation to the six distillers now licensed to distil spirits for the surrender of their licences, and the consequent loss of their business, and I have now to request your Lordship's sanction for this sum being paid out of the current revenues of the year; and I am thoroughly satisfied that a great increase will take place in the receipt of the excise duty on imported spirits by this arrangement, and which, while it was necessary for the due protection of the revenue, has been effected in a manner satisfactory to the actual distillers.

I have, &c.
(signed) *H. F. Bouverie.*

— No. 7. —

(No. 225.)

No. 7.
Lord Glenelg to Major-General Sir H. F. Bouverie, 25 March 1838.

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K. C. B.

Sir, Downing-street, 25 March 1838.

I HAVE to acknowledge the receipt of your Despatch (No. 2) of the 3d of January in connexion with the Report which I have received from Her Majesty's Commissioners of Inquiry, under date of 8th of January, in explanation of the grounds on which they have recommended to you, without awaiting the sanction of Her Majesty's Government, to prohibit the distillation of spirits in the island of Malta, and to award compensation to the local distillers whom the prohibition will preclude from pursuing their industry.

On consulting the Lords Commissioners of the Treasury on this subject, I find that their Lordships concur with me in approving the line of conduct which you have pursued, on the recommendation of the Commissioners, in regard to the local distilleries and the compensation of 1,625 *l.* to the distillers.

I have, &c.
(signed) *Glenelg.*

— No. 8. —

No. 8.
Commissioners to Lord Glenelg, 9 Jan. 1838.

EXTRACT of a DESPATCH from *John Austin*, Esq., and *G. C. Lewis*, Esq., Commissioners of Inquiry into the Affairs of Malta, to Lord *Glenelg*; dated Malta, 9 January 1838.

IN our Report on the Treasurer's Office of the 31st of August last, we stated to your Lordship the outlines of a plan which we had formed for depositing the money of the Government of Malta in a bank, and for abolishing the Government Treasury. Since the date of this Report, your Lordship, by a despatch of the 30th of September (No. 152), has given instructions for the abolition of the treasurer's office, recommended by us, from the 31st of last month, and for the provisional discharge of the duties of Treasurer by the Cashier, until it shall be determined whether the plan of employing a bank can be adopted. We have recently attempted to arrange the details of the plan, with the view of its being put into immediate execution, in case it should be approved by Her Majesty's Government; but in so doing we have met with obstacles on the part of the directors of one of the two banks in the island, which have induced us to relinquish our project. We now proceed to state to your Lordship our reasons for relinquishing it, and the form in which we propose that the Government treasury shall be continued.

The plan for depositing the Government money in a bank, of which we gave the outlines in our Report of the 31st of August, involved the assumption that the two existing banks would be dissolved and united into one bank. The directors of the Anglo-Maltese Bank, who are principally British merchants, were desirous to effect this union; but, on consulting the directors of the Bank of Malta, who are principally Maltese merchants, we found them unanimous in wishing to retain the separation of the two banks. As the union of the two banks was not a necessary part of our scheme, we stated that if the banks were

No. 8.
Commissioners to Lord Glenelg, 9 Jan. 1838.

to remain separate, the Government money might be deposited in one of them. The directors of the Bank of Malta then represented to us that if the Anglo-Maltese Bank were selected by the Government for the deposit of its money, the preference thus shown would materially diminish the transactions of the Bank of Malta, and would ultimately lead to its dissolution. They further represented that the objects of the two banks are not altogether similar; that the Anglo-Maltese Bank principally discounts the bills of considerable merchants engaged in the foreign trade; whereas the Bank of Malta discounts the bills of smaller traders, whose operations are more confined to the island, and that the dissolution of the Bank of Malta, or its virtual absorption in the other bank, would cause inconvenience to many persons who had been accustomed to look to it for discounts. On considering these statements, it appeared to us that the Government would not be justified, for the sake of obtaining a cheaper deposit than the Treasury for its money, in incidentally producing the dissolution of the second bank, and thus preventing all competition in the banking trade of the island. We therefore consulted the auditor-general as to the possibility of the Government keeping an account with both banks; and on learning from him that such a division of the Government money would produce scarcely any additional complication of accounts and would lead to no sensible inconvenience, we determined to propose this arrangement, and we accordingly wrote a letter to the banks for the purpose of ascertaining the terms on which each would receive a deposit of a part of the Government money. The Bank of Malta then offered to receive a deposit of a part of the Government money without making any charge; but the Anglo-Maltese Bank refused to receive a deposit of a part of the Government money on any terms. As we did not think that the Government ought, by depositing all its money in one bank, to compel the immediate or ultimate dissolution of the other bank, we wrote to the directors of the Anglo-Maltese Bank, requesting to be informed whether, as they refused to receive a part of the Government money, they objected to a deposit of the whole of it in the Bank of Malta. The directors of the Anglo-Maltese Bank have stated, in answer to our last letter, that they object to the deposit of the Government money in the Bank of Malta. As we are unable to obtain the consent of either bank to the exclusive deposit of the Government money in the other, as the Anglo-Maltese Bank will not receive a deposit of part of the Government money, and as we do not think that the Government would be justified in taking measures for forcing an union of the two banks, we are of opinion that the plan of depositing the Government money in a bank ought, for the present, at least, to be abandoned, and that the Government ought to continue to receive, keep, and disburse its own money.

See Correspondence annexed to this Report.

It seems to us, however, that the treasury, even after the abolition of the treasurer's office, is on an unnecessarily expensive scale. The Anglo-Maltese Bank receives about 450,000*l.* a year, and pays about the same sum. The balance in its coffers, including coined money and bills not yet due, is now nearly 60,000*l.* All the details of the receipt and payment are managed by a cashier and clerks, whose joint salaries amount to 458*l.* 6*s.* 8*d.* a year, the salary of the cashier being 208*l.* 6*s.* 8*d.* The expense of the establishment is therefore about one per mille on the aggregate of the receipts and payments. The Government of Malta receives rather less than 100,000*l.* a year, and pays about the same sum. The balance in the treasury, exclusive of the court deposits, will not in future exceed 5,000*l.*, and will rarely amount to this sum. The salaries of the officers of the treasury, without the salary of the treasurer, amount to 860*l.* 12*s.* a year, the salary of the cashier being 428*l.* 12*s.* The expense of the establishment is therefore more than eight per mille on the aggregate of the receipts and payments; that is to say, the establishment of the Government treasury, after the abolition of the treasurer's office, is, proportionally, eight times more expensive than that of the Anglo-Maltese Bank.

Having consulted with the proper officers of the Government, we are of opinion that the establishment of the treasury (incorporating the office of collector of judicial receipts) ought to be fixed according to the scale appended to this Report. The total amount is 913*l.* a year.

The outer door of the treasury has two distinct locks; the key of one lock has hitherto been kept by the treasurer, the other by the cashier. We recommend that in future one key be kept by the cashier of the treasury, and the other by the first assistant in the Chief Secretary's Office. The sum left in the exclusive custody of the cashier for current payments need never exceed a few hundred pounds.

pounds. We recommend that the cashier be required to give collateral security to the amount of 3,000*l.* by two sureties for 1,500*l.* each.

We think it right to state to your Lordship that our only reason for recommending the maintenance of the Government treasury is our unwillingness to give such a preponderance to one of the banks as would enable it to swallow up the other bank, and thus disturb the present order of the banking and discounting transactions of the island. Assuredly no private person in Malta would keep a treasury at an annual expense even of 913*l.*, to receive and pay so inconsiderable a sum as 100,000*l.* a year. Some of the merchants of the place now pay and receive larger sums than 100,000*l.* a year through the banks; and we are informed that when Malta became the emporium of a large part of Europe, in consequence of the continental system of Napoleon, vast sums of money passed through the Maltese banks. We entertain no doubt that the Government money might be deposited in a bank with greater economy, and with not less security than in its own treasury. From an examination of the rules and principles according to which the two banks are conducted, and from an inspection of their accounts for the last two years, we are quite satisfied of their solidity. The present state of the affairs of each may be seen from the balance-sheets appended to this Report.

We may here remark incidentally, that it has hitherto been the practice for the Government to refuse the notes of both the banks. We think that the Government ought in future to take the notes of both banks, provided that they will allow their accounts to be inspected, from time to time, by the auditor-general or other officer of the Government appointed by the Governor for that purpose.

By the reductions in the establishment of the Treasury which we have above suggested, Sir Vincent Casolani, the present cashier, would be deprived of his office, or would suffer a considerable diminution of salary.

Sir Vincent Casolani has been in the employment of the Government since 1807; and while he has filled the office of cashier he has performed gratuitously many services for the Government, as President of the Committee of the House of Industry, Member of the Committee of Charitable Institutions, and President of the Monte di Pietà. If he should cease to receive a salary as cashier of the Treasury, he must be paid for the other services which he performs for the Government.

Entertaining a high opinion of the efficiency of Sir Vincent Casolani as a man of business, we formerly communicated to your Lordship our intention to recommend that he should be appointed to superintend the Government charities and schools at his present salary. The changes recently introduced into the Government charities have, however, so much simplified the administration of them, that even with the addition of the Government schools they would hardly occupy the time of so active a public servant as Sir Vincent Casolani; we have, therefore, come to the resolution of recommending the following arrangement, in the place of that just mentioned.

As nearly the fourth part of the public revenues of Malta is derived from the Government lands, it is obviously very important that the office of collector should be efficiently discharged; and it appears to us that, from his necessary ignorance of the language of the country and of the details of the management of landed property, scarcely any Englishman would be competent to discharge it. We likewise think that the present salary of the collector is higher than is requisite for obtaining the services of a perfectly competent Maltese functionary.

We therefore recommend that Mr. Cumberland be immediately superannuated; that Sir Vincent Casolani be appointed collector of land revenue, at a salary of 450*l.* a year; that the office of first assistant in the land revenue department be abolished, and that Mr. Giuseppe Casolani, who now fills that office, be appointed cashier of the Treasury, at a salary of 350*l.*, and upon an understanding that he act gratuitously as the managing member of the committee of Government charities. The establishment of the treasury proposed by us is larger than is required for the services to be performed; and we only recommend that the cashier should receive so high a salary as 350*l.* a year because he is required to find collateral security to the amount of 3000*l.*

No. 8.
Commissioners to Lord Glenelg, 9 Jan. 1838.

The consolidation of the land revenue and work departments, which your Lordship has recently directed to be carried into effect, is an additional reason for not leaving the collector's office in the hands of an inefficient person.

We have submitted all the above arrangements to the Governor, and we are authorized by his Excellency to state that they have his entire approbation.

We annex a scheme for the consolidated department of land revenue and Government works, embodying the proposals made above, and some minor changes which have been arranged in concert with the chief officers of the Government.

Before we close this Report, we will advert to the subject of Government property granted, for various reasons, rent-free, or at a rent below its value.

In our Report of 3d of June last we transmitted a list of the Government houses held either rent-free or at a reduced rent, and we recommended that the practice of granting houses in either of these manners should be discontinued. On referring to this list, your Lordship will perceive that the Government houses, or other property granted without a rent or at a rent below the value, fall into five classes; viz.—1st, houses granted without rent to civil servants in virtue of their offices; 2d, houses granted at a rent below the value to civil servants in virtue of their offices; 3d, houses granted to individuals in the nature of a pension, or as a reward for former services; 4th, houses and other property allowed for charity; 5th, houses granted in compensation for other property. The annual loss accruing to the Government from each of these five classes of grants, according to the value in the collector's books, which is rather under than over the real value, is as follows:—

	ESTIMATED ANNUAL VALUE.			Amount Received.		
	£.	s.	d.	£.	s.	d.
Class 1	558	3	4	—		
Class 2	357	6	8	127	4	–
Class 3	598	5	6¾	194	15	–
Class 4	208	15	–	33	2	3¾
Class 5	22	13	4	8	19	2
TOTAL £.	1,745	3	10¾	364	–	5¾

The total annual loss is 1,381 *l.* 3 *s.* 5 *d.*

The changes already made have considerably diminished the two first classes, and we think that further arrangements may easily be made for diminishing them still further. With regard to the third class, we think that the persons who have been pensioned by grants of Government houses should, where they have a just claim, be placed on the Pension List, and be required to pay the full rent of the houses occupied by them. The cases of the persons included in the fourth class, ought, in our opinion, to be inquired into by the Committee of Government charities; and those who, on inquiry, should appear deserving of Government relief, ought to be provided for out of the regular funds set apart for that purpose. The fifth class is so small as to be of little importance; but means might probably be found of extinguishing it, without entailing any considerable expense on the Government.

We therefore recommend that the Governor be instructed to take measures for exacting the full rent in respect of all Government property, and to explain to the Secretary of State his reasons for any exceptions from the rule which he may deem it expedient to make.

No. 8.

Commissioners to Lord Glenelg, 9 Jan. 1838.

Proposed new Establishment of the Government Treasury, Malta (incorporating the Office of Collector of Judicial Dues).

SITUATIONS.	Annual Salaries. £.	s.	d.	
Cashier	350	–	–	
First Clerk (and sub-accountant for detailed payments.*)	200	–	–	* And likewise for detailed receipts, if any should come within the administration of the Treasury.
Clerk	110	–	–	
Clerk	90	–	–	
Clerk for judicial receipts and payments	75	–	–	
Messenger	36	–	–	
Guardian	26	–	–	
Money porter	26	–	–	
Total	913	–	–	

Present Establishment:

	£.	s.	d.		£.	s.	d.
Treasury	£. 870	12	–				
Judicial collector's	267	4	–		1,137	16	–
Treasurer, lately reduced					900	–	–
					2,037	16	–
Annual rate of saving							1,124 16 –

Proposed New Establishment of the Consolidated Office of Land Revenue and Public Works in Malta and Gozo.

SITUATIONS.	Annual Salaries. £.	s.	d.	
Collector and director	450	–	–	- - To charge the calesse hire and other expenses actually incurred for visiting the property and works in both islands, limited to 50 *l.* per annum; which maximum he may charge without detail while he keeps a calesse of his own.
First clerk	160	–	–	
Notary and keeper of archives	150	–	–	
Clerk (Gozo)	120	–	–	- - The clerk sent to Gozo to receive one per cent. (i. e. about 40 *l.* per annum) on the collection of rents, out of which he is to defray all expenses of visiting the property and works.
Clerk	100	–	–	
Ditto	75	–	–	
Ditto	70	–	–	
Ditto	70	–	–	
Ditto	65	–	–	
Ditto	50	–	–	
Two office messengers, at 30 *l.*	60	–	–	
One ditto (Gozo)	25	–	–	
Summoning messenger	20	–	–	
Ditto	15	–	–	
Ditto (Gozo)	15	–	–	
Three country messengers, at 10 *l.*	30	–	–	
"Perito" and draughtsman	85	–	–	- - To be allowed the actual expense of surveys, limited to 20 *l.* per annum.
Head superintendent of civil artificers	200	–	–	
Assistant to ditto (town)	70	–	–	- - To be allowed the actual expense of visiting the works, limited to 30 *l.* per annum.
Ditto (country)	70	–	–	

(*continued*)

No. 8.
ommissioners to
ord Glenelg,
Jan. 1838.

SITUATIONS.	Annual Salaries, £. s. d.	
Clerk to head superintendent - -	50 – –	
Overseer of works (town) - - -	45 – –	
Ditto (country) - - - - -	45 – –	
Guardian of the stores - - -	35 – –	
Porter of ditto - - - - -	25 – –	
Three guardians of the aqueduct, at 42 *l.*	126 – –	
Two assistant guardians of the aqueduct, at 24 *l.*	48 – –	
Head gardener of the Botanical garden	26 – –	These individuals have also the care of the several plantations of trees on the bastions.
Three labourers in the botanical garden, at 21 *l.*	63 – –	
Total - - - £.	2,363 – –	

Present Establishment.

	£. s. d.	£. s. d.
Land Revenue:		
Malta - - - - -	£. 1,938 9 –	
Gozo - - - - -	320 14 –	
Public works - - - - -	888 16 –	
	3,147 19	
Director of works, lately reduced -	500 – –	
	3,647 19 –	
Annual rate of saving - - - - - -		1,284 19 –

BALANCE SHEETS of the Two Maltese Banks.

ANGLO-MALTESE BANK.

DATE.	Gold and Silver Coins in the Chests of the Bank.	Bills Receivable.	Total of Securities. £. Sterling.	Notes in Circulation.	Cash Accounts, being the Balances due to Persons keeping Accounts with the Bank.	Amount of Shares.	Total of Liabilities. £. Sterling.
1837:	£.	£.		£.	£.	£.	
14 March -	30,843	15,956	46,799	17,262	21,204	8,333	46,799
16 June -	36,203	14,877	51,080	18,382	24,365	8,333 1/3	51,080
15 September -	40,574	9,239	49,813	13,803	27,676	8,333 1/3	49,813
15 December -	50,890	8,795	59,685	18,239	33,112	8,333 1/3	59,685

BANCO di MALTA.

DATE.	Gold and Silver Coins in the Chest.	Bills Receivable.	Total of Securities. £. Sterling.	Notes in Circulation.	Personal Accounts.	Amount of Shares.	Total of Liabilities. £. Sterling.
1837:							
1 March -	13,379	24,973	38,352	10,882	15,245	11,666 2/3	37,793
1 June - -	18,784	26,463	45,247	11,033	21,720	11,666 2/3	44,420
1 September -	14,330	23,063	37,393	9,904	14,839	11,666 2/3	36,410
1 December -	24,995	21,527	46,522	11,365	22,363	11,666	45,395

Fractions of a pound are omitted or made an integer, except in the columns of "Amount of Shares."

No. 8.
Commissioners to Lord Glenelg, 9 Jan. 1838.

CORRESPONDENCE between the Commissioners of Inquiry and the Directors of the Anglo-Maltese Bank, and of the Bank of Malta.

Sir, Valletta, 19 December 1837.

THE Commissioners of Inquiry have recently had under their consideration the expediency of abolishing the Government Treasury, and of depositing the Government money in one, or both, of the banks established in Malta.

Before the Commissioners come to such a conclusion as will enable them to make a recommendation to Her Majesty's Government on this subject, they wish to learn from the directors of your bank the terms on which they would undertake to manage the receipt and disbursement of a whole or a part of the Government money.

If the Government should deposit any of its money in your bank, it would require that a Government officer, appointed by the Governor, should have access at all times to the books of the bank, and should receive from the directors or cashier all explanations necessary to enable him to understand the accounts of the bank, and the state of its affairs.

It being understood that the above condition will be agreed to by the directors of your bank, they are requested to give answers to the following queries:

1. Will the directors receive a deposit of a part of the Government money, without making any charge?

2. If they make a charge for receiving a deposit of a part of the Government money, what will be the amount of the charge?

3. Will the directors receive a deposit of the whole of the Government money, without making any charge?

4. If they make a charge for receiving a deposit of the whole of the Government money, what will be the amount of the charge?

A letter, precisely similar to the present, has been addressed by the Commissioners to the directors of the Bank of Malta.

I have, &c.
(signed) *Thomas Tod*, Secretary.

To the President and Directors of the
Anglo-Maltese Bank.

A similar letter to the Directors of the Bank of Malta.

Sir, Bank of Malta, Valletta, 20 December 1837.

IN reply to your letter of yesterday's date, acquainting us that Her Majesty's Commissioners of Inquiry have recently had under their consideration the expediency of abolishing the Government Treasury, and of depositing the Government money in one or both of the banks established in Malta, and that before the Commissioners come to such a conclusion as will enable them to make a recommendation to Her Majesty's Government on this subject, they wish to learn from the directors of the Bank of Malta, the terms on which they would undertake to manage the receipt and disbursement of a whole or a part of the Government money,

I am directed to state for the information of Her Majesty's Commissioners—

1st. That the Government may appoint an officer who will have access at all times to the books of the bank, and will receive from the directors or cashier all explanations necessary to enable him to understand the accounts of the bank, and the state of its affairs.

2d. It having been the practice hitherto in the banks to receive deposits and keep accounts for individuals, not shareholders, without any charge being made for the same, the Bank of Malta will much more readily receive the deposit of a part of the Government money also free of charge.

3d. The bank will receive the whole of the Government money, if required, without making any charge; still, it is the opinion of the directors that the division of the Government cash transactions between both banks would be very desirable.

I have, &c.
(signed) *Biagio Tagliaferro*,
President of the Bank of Malta.

To Thomas Tod, Esq., &c. &c. &c.,
Secretary to H. M. Commissioners of Inquiry, Malta.

Sir, Anglo-Maltese Bank, 23 December 1837.

WE have to acknowledge the receipt of your letter of the 19th instant, acquainting us that the Commissioners of Inquiry have had under their consideration the expediency of abolishing the Government Treasury, and of depositing the public money in one or both of the banks; but that before coming to any conclusion on the subject, they are desirous of knowing upon what terms we would undertake the management of the revenue and expenditure, either in whole or in part, and of receiving answers to the queries set forth in your letter.

Before replying thereto, we deem it right to state that we have long been of opinion that the concentration in one bank of the receipts and payments of Government, with those of the

No. 8.
Commissioners to Lord Glenelg, 9 Jan. 1838.

mercantile body, and of the public in general, would be attended with the most beneficial effects. Such a plan would insure to Government a considerable saving of expense, combined with equal security; to the proprietors, a larger profit from a less capital; and to the trade, greater facility of accommodation in raising money on good security than can now be afforded, either with advantage to the shareholders, or benefit to commerce; experience having fully proved that the competition of two banks has been attended with the inevitable consequence of creating and encouraging a system of fictitious credit and over-trading, equally injurious to the establishments themselves, and to the best interests of the trade.

Fully persuaded, therefore, that the depositing of a portion of the Government money in both banks would but increase this evil by encouraging a system which has already proved so prejudicial, it only remains for us to state in reply to your queries,

First. That we are willing to receive the deposit of the whole of the Government money, and of undertaking its management free from any charge whatever.

Secondly. That in such case a Government officer appointed for that purpose should have at all times free access to the books of the bank, and should receive all necessary explanations to enable him to understand its accounts and the state of its affairs.

Thirdly. That for the reasons above given, we decline, altogether, the receipt of only a portion of the Government money.

We have, &c.
For the Board of Direction,
(signed) *John C. Ross*, President.

To Thomas Tod, Esq.,
Secretary to H. M. Commissioners of Inquiry.

Sir, Valletta, 25 December 1837.

The Commissioners of Inquiry have had the honour of receiving your letter of the 23d instant, in which you state that the directors of the Anglo-Maltese Bank are willing to receive a deposit of the whole of the Government money, and of undertaking its management free from any charge whatever, but that they decline altogether the receipt of only a portion of the Government money.

Understanding from the directors of the Bank of Malta, that they objected to the deposit of all the Government money in the Anglo-Maltese Bank, the Commissioners addressed to the directors of both banks a letter, of which the main object was to ascertain whether each bank would receive a deposit of a part of the Government money, and on what terms. The directors of the Bank of Malta have signified to the Commissioners their willingness to receive a deposit of a part of the Government money, without making any charge. As, however, the directors of the Anglo-Maltese Bank refuse to receive a deposit of a part of the Government money on any terms, the arrangement which the Commissioners contemplate cannot be effected.

Under these circumstances, the Commissioners request you to inform them whether the directors of the Anglo-Maltese Bank would object to the deposit of all the Government money in the Bank of Malta.

I have, &c.
(signed) *Thomas Tod*, Secretary.

To J. C. Ross, Esq.,
President of the Anglo-Maltese Bank.

Sir, Anglo-Maltese Bank, 6 January 1838.

We have the honour to acknowledge the receipt of your letter of the 25th ultimo, acquainting us that, under the circumstances therein detailed, Her Majesty's Commissioners request to be informed "whether we would object to the deposit of the whole of the Government money in the Bank of Malta."

Having already, previous to the receipt of your letter, made overtures to the directors of that bank, with the view of consolidating our two establishments, we were first desirous of ascertaining the result of these proposals, in order that we might be the better enabled to reply to this inquiry of the Commissioners.

From the correspondence between the banks, of which we beg herewith to transmit copies for their information, it will be observed, that the directors of the Bank of Malta altogether decline entering into any arrangements for the proposed union.

Having already expressed our opinion that the existence of two banks is not only unnecessary, but actually prejudicial to the commercial and general interests of the island, and as any arrangement by which the Government should deposit the whole of its money into the Bank of Malta could only tend to perpetuate this evil, and prevent altogether an union which circumstances hereafter may render expedient, if not imperative, we, on this ground alone, object to the proposed deposit of the Government money in the Bank of Malta.

In order, however, to reconcile the wish of Her Majesty's Commissioners on this subject with the object we have in view, of the concentration in our bank of the receipts and payments of Government with those of the mercantile body, and of the public in general, which, we are fully convinced would be attended with the most beneficial effects, and seeing with regret, that this desirable end cannot be attained without the intervention of Government, we beg to suggest to the Commissioners the expediency of recommending the formation of a bank, under such regulations as may insure a more satisfactory guarantee for the safe custody

No. 8.
Commissioners to Lord Glenelg, 9 Jan. 1838.

custody of the public money than can be afforded by the existing establishments, as they are at present constituted.

Should Her Majesty's Commissioners feel inclined to entertain this proposal, we shall be ready to submit for their consideration a prospectus of the terms on which such an establishment might be formed, under the patronage and with or without the participation of Government.

We have, &c.
For the Board of Direction,
(signed) *John C. Ross*, President.

To Thomas Tod, Esq.,
Sec. to Her. Majesty's Commissioners of Inquiry.

— No. 9. —

(No. 7.)

COPY of a DESPATCH from Major-General Sir *H. F. Bouverie*, K.C.B., to Lord *Glenelg*.

No. 9.
Major-General Sir H. F. Bouverie to Lord Glenelg, 9 Jan. 1838.

My Lord, Malta, 9 January 1838.

IT is the intention of Her Majesty's Commissioners of Inquiry to recommend to your Lordship certain changes in the departments of the Treasury, and of Land Revenue and Public Works, by which Mr. Cumberland will be removed from his situation of head of the latter now consolidated office, and Sir Vincent Casolani placed there in his stead. I cordially concur with the Commissioners in the policy of this measure, which cannot fail to be infinitely advantageous to the public service. Your Lordship has so fully recognised the principle of not allowing the public good to be the cause of private distress in any degree beyond what may be absolutely inevitable, that I confidently hope you will be enabled to recommend Mr. Cumberland for such a retired allowance as may prevent himself and his family being distressed by the change which will take place in their circumstances.

I have, &c.
(signed) *H. F. Bouverie.*

— No. 10. —

(No. 197.)

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K.C.B.

No. 10.
Lord Glenelg to Major-General Sir H. F. Bouverie, 7 Feb. 1838.

Sir, Downing-street, 7 February 1838.

I HAVE received from Her Majesty's Commissioners of Inquiry, at Malta, a Report dated 9th January 1838, explaining the reasons which have induced them to abandon their plan of employing the existing banks at Malta, for the deposit and safe custody of the balances of the public revenue, and stating the mode in which they would provide for the effective execution of that service. To these suggestions are added others, respecting the houses which have hitherto been occupied by public officers and others under the sanction of the local Government.

Your despatch of 9th January, No. 7, expresses your full concurrence in these recommendations of the Commissioners.

I have referred the whole subject to the Lords Commissioners of Her Majesty's Treasury, within whose province it lies to consider and decide the greater part of the suggestions made by the Commissioners. I must express my concurrence in your general opinion that much consideration is due to the public officers, whose prospects in life will be disappointed by the various changes in contemplation, and I have not failed to recommend their claims to the serious attention of the Lords of the Treasury.

I have, &c.
(signed) *Glenelg.*

— No. 11. —

(No. 226.)

No. 11.
Lord Glenelg to Major-General Sir H. F. Bouverie, 26 March 1838.

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K.C.B.

Sir, Downing-street, 26 March 1838.

26 of March.

REFERRING to my Despatch, No. 197, of the 7th of February last, which relates to the Report of Her Majesty's Commissioners of Inquiry of the 9th of January preceding, I now transmit to you for your information and guidance a copy of a letter which has been received from the Assistant Secretary to the Board of Treasury, explaining the views and wishes of the Lords Commissioners in regard to the several arrangements which have been recommended by Her Majesty's Commissioners, for insuring the safe custody of the public money, for regulating the establishment of the Government Treasury, for consolidating the departments of public works and of land revenue, and for reforming the system under which individuals have been permitted to occupy houses belonging to the Crown.

You will, of course, feel it to be your duty to pay the strictest attention to the suggestions of the Board of Treasury, on the several topics to which they relate. I abstain from furnishing you with any further specific instructions with respect to the discontinuance of the system of allowing individuals to occupy public buildings under various pleas, because you will have sufficiently understood that it is the fixed desire of Her Majesty's Government to grant no indulgences of that nature in future, and to resume possession of all public buildings so soon as that may be practicable.

I am, &c.
(signed) *Glenelg.*

Sir, Treasury Chambers, 26 March 1838.

THE Lords Commissioners of Her Majesty's Treasury having had under their consideration the further arrangements and recommendations submitted by the Commissioners of Inquiry at Malta to Lord Glenelg, in their Report of the 9th January last, forwarded to this Board in your letter of the 24th ultimo, I am commanded by their Lordships to acquaint you, for the information of Lord Glenelg, that my Lords approve of the arrangements proposed by the Commissioners for the treasury and land revenue departments.

Their Lordships presume that Lord Glenelg is satisfied as to the competency of the party recommended to succeed Sir V. Casolani as cashier of the Treasury. They agree in opinion with the Commissioners as to the amount of collateral security which the newly-appointed officer should be called upon to furnish; but they think it would be very unadvisable to sanction any diminution of the cashier's responsibility by the recognition of any distinct sub-accountant in the Treasury, for transactions which might be comprehended in the vague definition of "detailed payments" and "detailed receipts."

My Lords are in communication with the commissioners of audit on the subject of the further regulations which it may be proper to establish in regard to the custody, expenditure, and account of the colonial funds, with reference to the modifications which have been made in the local establishments.

They concur in those suggestions of the Commissioners which relate to the arrangements under which houses, Crown property, have heretofore been held by individuals at reduced rents, or rent-free. They apprehend that the tenure of those included in the first and second classes, adverted to by the Commissioners, will have been abrogated, with very few exceptions, by the changes occasioned by the recent revision of the island establishments; and as the local government has already been apprised that this system of remunerating public officers is to be discontinued, that no further grants will be made under the third or fourth classes; but should it appear to Lord Glenelg that the directions already given on these points have not been sufficiently explicit, it will undoubtedly be advisable that the instruction suggested by the Commissioners should be conveyed to the Governor.

I am directed further to suggest, with reference to the Report of the Commissioners of Inquiry, that his Lordship should again apprise those gentlemen that no arrangement for the deposit of public money in the local banks is to be adopted without the previous approval of Her Majesty's Government, as already recommended in the letter addressed by direction of this Board to you on the 26th December last; and that their Lordships do not consider it expedient that any specific authority should be given to the officers entrusted with the collection of the local revenue to receive the notes of the banks.

I have, &c.

J. Stephen, Esq., &c. &c. &c. (signed) *A. Y. Spearman.*

No. 12.
Report on Employment of Maltese in Executive Offices.

— No. 12. —

REPORT relative to the Employment of *Maltese* in Executive Offices.

My Lord, Malta, 19 February 1838

With the exception of a few details which we may have hereafter occasion to notice, we have completed our recommendations on the administrative (exclusive of the legal) departments of the Government of Malta. If the changes recommended by us should be carried into effect, these departments will stand as follows:—

1. Chief Secretary's Office (including the Post-office.)
2. Treasury.
3. Auditor-general's Office.
4. Office of Collector of Customs.
5. Department of Land Revenue and Government Works.
6. Department of Quarantine and Marine Police.
7. Police.
8. Committee of the Charitable Institutions.

If the changes recommended by us be carried into effect, the following departments will have been consolidated or abolished:—

1. Grain Department.
2. Marine Police.
3. Government Works.
4. Magistrate of the Markets for Malta.
5. Collector of Judicial Receipts.
6. Collector of Land Revenue in Gozo.
7. Magistrate of the Markets for Gozo.

Having substantially completed our recommendations on the several administrative departments, we think it our duty to report to your Lordship on two subjects which have reference to these departments generally, and which therefore could not properly be considered under any particular head. These are, first, the expediency of appointing natives of Malta to superior offices under the civil government; and, second, the policy of creating numerous small offices for the purposes of maintaining necessitous persons, and of extending the influence of the Government.

In your Lordship's instructions to us of the 16th of September 1836, your Lordship directs us to inquire into the truth of the allegation, that the natives of Malta are excluded from all the principal offices except the judicial; and assuming it to be true, into the grounds of the exclusion. Your Lordship adds, that it was the desire of His Majesty that natives of Malta possessed of abilities and probity fitting them for public offices, should be employed as extensively as possible in the civil government of the island.

We append to this Report a statement (drawn up at our request by Mr. Thornton, the auditor-general), which contains all the requisite information with respect to the distribution of the offices of the Maltese Government amongst English and Maltese respectively.

We have much considered the expediency of employing natives in the civil government since we have been in the island, and the remarks which we are about to submit to your Lordship contain our deliberate opinions upon the subject.

We think, for the following reasons, that in making appointments to offices under the Government of Malta, natives of the island ought generally to be preferred to Englishmen.

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Report on Employment of Maltese in Executive Offices.

1. Maltese are better acquainted than Englishmen with the circumstances of the country; with its laws, institutions, and usages; with the prevailing opinions and manners; and with the characters and capacities of individuals. They have likewise the familiar use of the native language and of the Italian, whilst Englishmen are almost invariably ignorant of the native language, and sometimes have but an imperfect knowledge of the Italian. Some of the departments (as, for example, the land revenue department) require a knowledge of local details and peculiarities which no Englishman, even after a long residence in the country, could acquire.

2. The appointment of natives to civil offices would be far more acceptable to the people than the appointment of Englishmen, and would thus tend to render the Government popular.

And here it may be remarked, that there is a great difference with respect to the appointment of natives to civil offices, between the case of Malta and that of any other British colony. With the exception of British India, none of the colonial possessions of England have been independent states; whereas Malta, from the time of its donation to the Order of St. John up to its conquest by the French, was an independent state, and its government exercised all the functions of a sovereign government. Now, although the government was, in substance, conducted by the knights (none of whom were natives of Malta), yet nearly all the subordinate, and many of the superior offices, were filled by Maltese. Thus all the judges, the four uditori, the segreto, the collector of customs, the capitano di verga, and the jurats, were almost invariably natives of the island. It was natural, therefore, for the Maltese, when their island became a dependency of England, to expect the continuance of the system in respect of appointments to offices which had been followed when it was an independent state. The appointment of Englishmen to civil offices is therefore far more unpopular in Malta than it would be in a colony planted by England, or than in a conquered colony, which previously to the conquest had been always a dependency of another European power.

3. Combined with the principle of departmental promotion, the system of appointing natives would open a career to native merit. It therefore would induce the Maltese to qualify themselves for the public service, and would engender habits of application which are now rarely met with amongst the native candidates for office. The difficulty of finding natives competent to fill the higher offices of the government is often complained of. It would be strange if this difficulty did not exist, inasmuch as the higher offices, have, up to a recent period, been almost invariably filled with strangers from England, and no encouragement has been held out to the Maltese subordinates to qualify themselves for the chief offices in their departments. Considering the length of time during which the Maltese have lived under this spirit-breaking system, we are rather inclined to wonder that the incapacity is not nearly universal. When we consider the natural capacity of the natives, we entertain no doubt that the island would soon produce its fair proportion of competent candidates for office, if the places under the Government were systematically given with reference only to personal aptitude, and if every subordinate civil servant, combining general ability with the appropriate knowledge which his service in the subordinate station would naturally give him, had a fair chance of promotion to the head of his department.

We may further remark, that the systematic exclusion of natives from superior offices has made them a degraded class in their own country. It has lowered them in the estimation of Englishmen and foreigners, and even in their own estimation; and, in short, it has produced the evil consequences which were produced in Ireland by the civil disabilities imposed upon Catholics by the law.

4. The appointment of natives to superior offices, combined with the principle of departmental promotion, would not only elevate the character of the Maltese, by opening a career to native merit, but would also increase the efficiency of the Government. According to the system by which the Government of Malta has been hitherto conducted, inefficient Englishmen have, in many cases, been placed at the head of departments. And this evil was almost inseparable from the system of appointing Englishmen to those departments. Even in the case of a principal

cipal office not demanding the special knowledge which none but a native can possess, it would probably be difficult for Her Majesty's Government to appoint an Englishman as efficient as many Maltese who would gladly accept the employment. Englishmen who have ability and industry to recommend them, naturally prefer employment at home to employment in Malta; and accordingly the civil service of the island has been for the most part abandoned to persons who, for various reasons, have been unable to succeed in their respective professions, or have otherwise failed to advance their fortunes in England. Now, by steadily promoting meritorious natives, Her Majesty's Government would obtain the services of the ablest persons in Malta, of all degrees, professions, and callings; and we are decidedly of opinion, that the Government would be better served by the ablest amongst the natives than by the ablest Englishmen who would find their account in accepting employment in the island.

In proof of the truth of the opinion which we have now expressed, we may state that in many, if not most, cases the business of a principal office filled by an Englishman has been performed by one of his Maltese subordinates. In consequence of this vicious arrangement the revenue of the island has been burdened with a high salary paid to the useless principal, whilst the business has been performed less efficiently than it would have been if the subordinate had filled the office of his principal, and had been directly responsible.

If the moral and intellectual condition of the Maltese were as low as that of the Hindoos, it might be necessary that the civil government of the island should be mainly administered by Englishmen. But though the Maltese are not so advanced in civilization as we could desire, and as they would be if they had enjoyed a liberty of the press, and good institutions for education, yet they are an European and Christian community, and far superior in institutions, manners, science, and arts to the most advanced of the Asiatic nations. The system, therefore, which may be necessary in Hindostan, is altogether unjustifiable in Malta.

5. The superior offices might be filled by Maltese more cheaply, as well as more efficiently, than by Englishmen. The habits of Englishmen being more expensive than those of the natives, an English official requires a salary considerably higher than that with which a native would be satisfied; and since an Englishman on coming to Malta relinquishes the advantage of living in his own country, he naturally expects, and is entitled to, some remuneration for the sacrifice.

The standard by which the salary of a Maltese head of a department ought to be fixed is the average annual income of a principal Maltese landowner, advocate, physician, or merchant. As fixed by this standard, the salary of a Maltese head of a department would not (speaking generally) amount to more than 400 *l.* a year. For this salary a competent Maltese might always be found to fill the office, though a competent Englishman could hardly be found to fill it for the same remuneration.

It may be added, that when an English civil servant retires upon a pension he usually leaves the island, and spends his pension out of it. A Maltese civil servant retiring upon a pension naturally remains in Malta, and spends his pension amongst the community from which it is drawn in the shape of taxes. The advantage arising from this difference in favour of Maltese appointments is in truth imaginary; but considering the dislike with which pensions are regarded, even in the most enlightened countries, any arrangement tending to diminish their unpopularity is worthy of attention.

6. Lastly, a native civil servant being at home has few inducements to absent himself from his official duties, whereas an English civil servant in Malta, being at a distance from his home, is liable from time to time to be called from his official duties by his private affairs. It appears from the notices in the Government Gazette that the English heads of departments have frequently been absent from the island for considerable periods of time, whilst the Maltese civil servants have rarely received leave of absence.

The appointment of Maltese to offices of trust has been objected to on the ground of their alleged want of pecuniary honesty, though we are not aware that any of the persons making the objection has advanced it openly, and offered to prove the truth of it. It appears to us that there is no ground for this imputation upon the moral character of the Maltese. We believe that the Government

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may select from amongst the Maltese persons to whom it can intrust the custody of its money, or the administration of its pecuniary concerns, with as much safety as it could intrust them to Englishmen. In fact the immediate custody of the Government money has been intrusted to Maltese; the cashier of the treasury, of the grain department, and of the customs having been natives. And, as we have already remarked, the duties of the higher offices filled by Englishmen have generally been performed by some of their Maltese subordinates.

For the above reasons, we think that the offices of the Maltese Government, superior as well as inferior, should, as far as possible, be filled by natives. Indeed, we cannot, at present, see any reason why all the administrative offices (excepting those of chief secretary, assistant secretary, and auditor-general,) should not be filled ultimately by natives of the island.

By the foregoing recommendations, it is not our intention to advise that a complete monopoly of the Government offices should be given to the Maltese; for wherever a subordinate office is filled by a meritorious Englishman, and the chief office in his department becomes vacant, his claim to the vacant office may be just as strong as that of a Maltese subordinate in the same department. But the appointment of any Englishman to the headship of any department in which he has never served in a subordinate capacity, is impolitic and unjust; and is especially objectionable wherever (as has sometimes happened) he has no special knowledge of the duties of his department, and even no general capacity for business.

The above remarks apply to legal as well as to other administrative offices; and there are, moreover, special reasons (which we shall state in a future report) for conferring judicial and other legal offices almost exclusively upon Maltese.

The other subject of the present Report, is the policy of creating numerous small places, for the purposes of maintaining necessitous persons and of extending the influence of the Government.

This latter system (which has been acted upon to a considerable extent in Malta) naturally flows from the system of excluding Maltese from the superior offices. It was thought, that the discontent excited by excluding the Maltese from a few important and highly paid offices, would be removed, or counteracted, by distributing amongst them a large number of petty places.

We proceed to state our reasons for disapproving of this latter system, and for having adopted a diametrically opposite system in all the reforms of the administrative departments which we have recommended to your Lordship.

1. The distribution of the business of the Government amongst a large number of inefficient officers, with comparatively small salaries, rather than amongst a small number of efficient officers, with comparatively high salaries, produces an unskilful and negligent administration of public affairs, and renders it unnecessarily costly.

2. The system under consideration, instead of tending to attach the people to the Government, tends to estrange them from it.

The practice of giving numerous small places to inefficient persons, raises up a body of expectants far more numerous than the places which the Government has at its disposal, and thus creates a class of disappointed candidates for Government employments which would not naturally exist; to which we may add, that the discontent thus excited amongst the disappointed candidates is far more intense than it would be under a sound system of distributing public offices. For where an office is useful, and is given to an efficient person, the disappointed candidates themselves cannot but be conscious of the public utility of the appointment; but where an office is nearly useless, and is given to an inefficient person, they know that the successful candidate has no other title than the favour of those who appoint him, and see no reason why his claims should be preferred to their own.

Whilst the system creates a class of disappointed candidates for places, which would not naturally exist, it disgusts the mass of the public, who see its tendency to produce a costly and inefficient administration of the Government, and are not reconciled to the evil by the hope of obtaining office.

The discontent produced by the system in the various ways which we have now pointed out, is not counterbalanced by the influence which it gives to the Government. This influence is confined to the individuals upon whom the useless offices are conferred; for in Malta there are no wealthy and powerful families,

families, and no one has any influence independently of his personal character or position.

3. The creation of useless offices has the bad moral effect of inclining young men of the order of nobles to look for provision to the Government, and not to their own exertions in departments of private industry. It consequently perpetuates the prejudices and habits which prevent persons of this order from gaining a livelihood by honest industry; and which, through their example, extend to persons of the middle and working classes. Indeed, the system in question, combined with the vicious administration of the professedly charitable institutions, has infected the population generally with the most lamentable habits of idleness, improvidence, and mendicancy.

It is hardly necessary to add, that the system has no tendency to incite the aspirants to office to qualify themselves for public business; for since the creation of a Government influence is the object of the system, places are not given with reference to the aptitude of the candidates for the discharge of public business.

Useful offices adequately paid, and given habitually to meritorious native candidates, would really produce the consequence vainly aimed at by the system in question, with other beneficial consequences which that system never contemplated. The distribution of offices of that description amongst candidates of that character, would produce a good and cheap administration of the Government, and would therefore satisfy the bulk of the community. By limiting grants of offices to candidates of that character, it would incite aspirants to office to acquire the knowledge and ability which qualify for office. And as any Maltese, if duly qualified, might fairly hope to obtain a place of importance, it would tend to diffuse amongst the natives of the island, a taste for useful knowledge, and habits of useful industry.

We may briefly remark, before we quit the topic now in consideration, that the Government has attempted to conciliate and influence the nobles by distributing titles and decorations amongst them; and that this policy is liable to the objections which we have urged against the system just examined.

We cannot close our Report without endeavouring to impress upon your Lordship the importance of the subjects discussed in it.

Next to the liberty of the press, the extension and improvement of the institutions for education, and an improved administration of the Government charities, we believe that the systematic appointment of meritorious natives to superior offices, and the abolition of all needless offices, are the two most useful reforms which could be introduced into Malta. They are eminently calculated to raise the condition of the natives; and to increase the efficiency and popularity of the Government, by diffusing amongst the public a belief in its wisdom and justice.

We have, &c.

(signed) *John Austin.*
G. C. Lewis.

A RETURN showing the Number of Persons employed on the Establishment of the Administrative and Judicial Departments of the Government of *Malta*, with the Aggregate of their Annual Salaries, as paid from the Colonial Treasury; distinguishing the English from the Maltese, and specifying the Offices held by Englishmen, with their respective Salaries; the whole as existing on the 1st day of January 1838.

DEPARTMENTS.	Above £.25 per Annum.				At and under £.25 per Annum.				TOTAL.	
	English.		Maltese.		English.		Maltese.		No. of Persons.	Amount of Salaries.
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.		
		£. s. d.		£. s. d.		£. s. d.		£. s. d.		£. s. d.
FIXED ESTABLISHMENT:										
Governor's Establishment	2	5,300 – –	4	177 10 –	1	16 15 –	–	– – –	7	5,494 5 –
Chief Secretary's Office	4	1,760 10 –	9	902 8 –	–	– – –	3	70 12 –	16	2,733 10 –
Post Office	1	257 3 –	2	80 15 –	–	– – –	1	25 – –	4	362 18 –
Printing Office	1	257 3 –	11	462 18 –	–	– – –	–	– – –	12	720 1 –
Treasury	–	– – –	7	870 12 –	–	– – –	–	– – –	7	870 12 –
Audit Office	2	620 – –	2	185 – –	–	– – –	1	25 – –	5	830 – –
Customs	2	570 – –	30	1,672 – –	–	– – –	37	879 – –	69	3,121 – –
Quarantine and Marine Police	2	600 – –	64	3,324 19 –	–	– – –	1	20 – –	67	3,944 19 –
Land Revenue and Public Works	3	982 6 –	29	1,737 15 –	–	– – –	13	195 15 –	45	2,915 16 –
Superior Courts of Justice	2	2,300 – –	15	3,084 5 –	–	– – –	1	20 – –	18	5,404 5 –
Inferior Courts of Justice	1	180 – –	13	1,267 15 –	–	– – –	–	– – –	14	1,447 15 –
Lord Lieutenants and their Deputies	–	– – –	27	1,338 – –	–	– – –	–	– – –	27	1,338 – –
Executive Police	2	450 – –	35	1,445 7 –	–	– – –	45	808 17 –	82	2,704 4 –
Prisons	–	– – –	7	297 17 –	–	– – –	10	187 14 –	17	485 11 –
Markets	–	– – –	7	483 11 –	–	– – –	5	79 17 –	12	563 8 –
Collector of Judicial Dues	–	– – –	3	267 4 –	–	– – –	–	– – –	3	267 4 –
Charitable institutions	1	120 – –	46	2,460 7 –	–	– – –	75	1,132 10 –	122	3,712 17 –
University and Lyceum	–	– – –	12	505 – –	–	– – –	20	435 – –	32	1,010 – –
Two persons already included for other salaries in other departments	–	– – –	–	70 – –	–	– – –	–	– – –	–	
Government Library	–	– – –	3	216 2 –	–	– – –	1	20 12 –	4	236 14 –
Island of Gozo. Lieutenant-Governor's Establishment	2	334 6 –	–	– – –	–	– – –	–	– – –	2	334 6 –
Land Revenue	1	171 9 –	2	108 1 –	–	– – –	3	41 4 –	6	320 14 –
Courts of Justice	–	– – –	6	457 18 –	–	– – –	3	40 18 –	9	627 8 –
One person already included for another salary in another department	–	128 12 –	–	– – –	–	– – –	–	– – –	–	
Executive Police	–	– – –	3	145 9 –	1	5 3 –	17	193 8 –	21	344 – –
Prison	–	– – –	–	– – –	–	– – –	1	20 12 –	1	20 12 –
Markets	–	– – –	2	91 16 –	–	– – –	3	23 5 –	5	115 1 –
Charitable Institutions	–	– – –	1	55 8 –	–	– – –	9	119 4 –	10	204 12 –
One person already included for another salary in another department	–	30 – –	–	– – –	–	– – –	–	– – –	–	
Total Fixed Establishment	26	14,061 9 –	340	21,707 17 –	2	21 18 –	249	4,338 8 –	617	40,129 12 –
FIXED CONTINGENCIES:										
Allowances Supplementary to Salaries on the Fixed Establishment of the										
Governor's Establishment	–	400 – –	–	– – –	–	– – –	–	– – –	–	400 – –
Executive Police	–	15 – –	–	– – –	–	– – –	–	– – –	–	15 – –
Markets	–	– – –	–	50 – –	–	– – –		– – –	–	50 – –
Island of Gozo, namely,										
Lieutenant-Governor's Establishment	–	83 7 –	–	– – –	–	– – –	–	– – –	–	83 7 –
Land Revenue (mean of a series of years)	–	84 1 6	–	– – –	–	– – –	–	– – –	–	84 1 6
Executive Police	–	– – –	–	15 – –	–	– – –	–	– – –	–	15 – –
Pay or Allowances of Persons not receiving Salaries on the Fixed Establishment, namely,										
Quarantine Department	–	– – –	–	– – –	–	– – –	62	1,295 – –	62	1,295 – –
Charitable Institutions	–	– – –	1	40 – –	–	– – –	–	– – –	1	40 – –
	26	14,643 17 6	341	21,812 17 –	2	21 18 –	311	5,633 8 –	680	42,112 – 6

Note.—Persons born in Malta of an English and a Maltese parent are considered as Maltese; and domiciliated foreigners are also classed with the Maltese in the above Return.

No. 12.
Report on Employment of Maltese in Executive Offices.

SPECIFICATION of the Offices held by Englishmen, and of the Annual Salaries attaching to each.

	£.	s.	d.
Governor, salary 5,000*l.*; allowance for maintenance of the gardens of St. Antonio, and a barge, 400*l.*	5,400	–	–
Chaplain to Government	300	–	–
Chief secretary to Government	1,000	–	–
Assistant secretary and clerk of the Council	500	–	–
A clerk in the chief secretary's office	169	15	–
Another in the same office	90	15	–
Superintendent of the post office	257	3	–
Superintendent of the printing-office, and editor of the Government Gazette	257	3	–
Auditor-general	500	–	–
A clerk in the audit-office	120	–	–
Collector of customs	500	–	–
A clerk in the custom-house	70	–	–
Captain of the ports (formerly head of the marine police)	350	–	–
Captain of the ports (formerly captain of the quarantine harbour alone)	250	–	–
Collector of land revenue	700	–	–
Head Superintendent of civil artificers	200	–	–
Clerk of stores, work department	82	6	–
Chief justice	1,500	–	–
Attorney-general	800	–	–
A judicial Magistrate	180	–	–
Magistrate of executive police	350	–	–
First adjutant of police, salary 100*l.*; allowance to keep a horse, 15*l.*	115	–	–
A clerk of the charitable institutions	120	–	–
Lieutenant-governor of Gozo, salary 257*l.* 3*s.*; calesse allowance, 83*l.* 7*s.*	340	10	–
Collector and magistrate, Gozo; salaries, 171*l.* 9*s.*, and 128*l.* 12*s.*; calesse allowance, 20*l.*; per centage on collections (averaged on a series of years), 64*l.* 1*s.* 6*d.*	384	2	6
Secretary and purveyor, Gozo	107	3	–
	14,643	17	6

Under 25*l.* each per Annum:

	£.	s.	d.			
Chaplain's clerk	16	15	–			
A constable in Gozo	5	3	–			
				21	18	–
Total for 28 Individuals			£.	14,665	15	6

Valletta, 14 February 1838.

Wm. H. Thornton,
Auditor-General.

— No. 13. —

(No. 227.)

EXTRACT of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K. C. B.

No. 13.
Lord Glenelg to Major-General Sir H. F. Bouverie, 27 March 1838.

Downing-street, 27 March 1838.

"I HAVE received from Her Majesty's Commissioners of Inquiry at Malta a Report, of which I presume you are in possession, dated 19 February, on the subject of the selection of candidates for public offices in that island and its dependencies.

"From the Tables subjoined to this Report, I collect the following conclusions.

"First.—No less than 680 persons are employed in the various departments of the Maltese Government.

"Secondly.—Of these 680 persons, 28 are Englishmen and 652 Maltese.

"Thirdly.—The average official income of each of the 28 English is 523*l.* 15*s.* 6*d.*, and of each of the 652 Maltese, 42*l.* 1*s.* 11*d.*

"Fourthly.—Among the 28 English functionaries, there are only five whose annual receipt falls below 100*l.*; there are seven whose income varies from 100*l.* to 200*l.* per annum. There are 13 whose income varies from 200*l.* to 1,000*l.*

No. 13.
Lord Glenelg to Major-Gen. Sir H. Bouverie, K. C. B., 27 March 1838.

1,000 *l.* annually, and the remaining three are paid at the rate of 1,000 *l.* per annum and upwards.

"Fifthly.—The returns do not furnish the means of stating with precision what are the incomes of which the different Maltese officers are in the receipt, but it is sufficiently clear that there are very few whose remuneration amounts to 100 *l.* annually.

"Under such circumstances, it is difficult, or rather impossible, to doubt the accuracy of the conclusions which the Commissioners have drawn as to the origin and the consequences of this distribution of the patronage of the Crown.

"To mitigate these feelings large numbers of the Maltese have been brought into the public service on the most trifling allowances, and titular and other honorary distinctions have been added, to atone for the deprivation of more substantial advantages. This plan of conciliation has not only failed to effect its main object, but it has produced many serious evils. It has encumbered the local government with a multitude of superfluous and ill-paid functionaries. It has created habits of dependence on the Government for support, and has discouraged honest industry and useful enterprize. The majority of the Maltese population of the higher rank are represented as aspirants for these petty offices which the Government has to distribute amongst its servants, and as indulging in an indifference or contempt for the means, far more honourable in reality, though more humble in their estimation, of earning a subsistence.

"Such being in substance an epitome of the representations of the Commissioners, the methods which they recommend for the remedy or prevention of these great social evils are next to be considered.

"First.—They propose that there should be a distinct and final abandonment of the practice of excluding the natives of Malta from the higher offices in their own country. Her Majesty's Government can have no difficulty in condemning this exclusive system, and announcing the abandonment of it, because in fact it has already been superseded, so far as any opportunity has presented itself, since the commencement of the inquiries of the Commissioners. Of the four vacancies which have occurred amongst the heads of departments during that period three have been filled up on my nomination by native Maltese.

"Secondly.—The Commissioners propose that which they have termed a system of departmental promotion, an expression which is explained to mean, 'that every subordinate civil servant, combining general ability with the appropriate knowledge, which his service in the subordinate station would naturally give him, should have a fair chance of promotion to the head of his department;' and further, that 'the appointment of an Englishman to the headship of any department, in which he has never served in a subordinate capacity,' should never take place. I am extremely unwilling to enter, on behalf of Her Majesty's Government, into any pledge to the inhabitants of Malta, which there is reason to apprehend that difficulties, not at present foreseen, may make it impossible to fulfil. It is very easy to suppose cases in which the public interest might require a departure from this system of departmental promotion; and in any such contingency, the embarrassment of being fettered by a general and positive pledge would be extreme. I cannot therefore advance further than to declare that it is the fixed intention of Her Majesty's Government to weigh attentively the claims of the subordinate officers of every public department in Malta, before any stranger to their particular branch of the public service is placed over them; and with a view to prevent hasty decisions, in such cases Her Majesty's Government will be happy from time to time to receive from you, before vacancies actually occur, reports in favour of the advancement as opportunities may arise of any meritorious officer serving in a subordinate rank. Without venturing to state that such recommendations will be invariably followed, I can at least undertake to say that no person thus pointed out by the Government shall be passed over on any light or ordinary grounds.

"Thirdly.—The Commissioners recommend the adoption of a rule which would ultimately exclude from all public offices in Malta (excepting those of the Chief Secretary, the Assistant Secretary, and the Auditor General) all Her Majesty's subjects who are not natives of the island, or who may not previously to their appointment have acquired a fixed domicile there. Fully acknowledging the claims of the Maltese to the utmost consideration in the distribution of public offices in Malta, I am not prepared to subscribe to so general a declaration. The tendency of it would probably be to prevent the native Maltese from regarding

No. 13.
Lord Glenelg to Major-Gen. Sir H. Bouverie, K. C. B., 27 March 1838.

regarding themselves, and from being regarded by their fellow-subjects as members of the British Empire collectively; but rather as an isolated class attached to a small and remote possession of the Crown, to which alone their prospects of advancement in life must be confined. It appears to me that the disposition to maintain distinctions of this character requires rather to be repressed than encouraged. There is no doubt that native Maltese ought to be much more extensively employed in the public service at Malta; but it would be straining the principle too far to engage for the exclusion from that service of any British subject, even although he might combine in himself the greatest number and amount of qualifications.

"Fourthly.—The Commissioners recommend that no useless offices should hereafter be created or maintained with a view to patronage; but that such only should be kept up as are required for the efficiency of the public service, and that in the distribution of such offices as shall be continued, reference shall be had only to merit and personal aptitude. It is superfluous to express my entire concurrence in these views, or to inculcate upon you a strict observance of them.

"You are aware that there are some offices in Malta at the disposal of the Lords Commissioners of Her Majesty's Treasury, in the appointment to which it is often necessary for their Lordships to advert to considerations different from those which apply to appointments by the head of this department. You will understand the preceding remarks as having no reference to such Treasury appointments. I have transmitted to their Lordships a copy of the Commissioners Report, and have requested them to state what instructions they would desire to issue in reference to the offices in Malta at their disposal. Their answer will be communicated to you so soon as I shall be in possession of it."

—No. 14.—

(No. 243.)

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K. C. B.

Sir, Downing-street, 11 May 1838.

No. 14.
Lord Glenelg to Major-Gen. Sir H. Bouverie, K. C. B., 11 May 1838.

With reference to my despatch No. 227, of the 27th of March, in which you were informed that I had transmitted to the Lords Commissioners of the Treasury a copy of the Report of Her Majesty's Commissioners of Inquiry relative to the future selection of candidates for public employment at Malta, with the request that their Lordships would state what instructions they would wish to give in regard to the offices at their own disposal in the Island, I have now the honour to transmit to you copy of their Lordships' reply, by which you will perceive that in making such appointments, their Lordships will not fail to consider the claims of those meritorious Maltese who may wish to enter the public service.

I have, &c.
(signed) *Glenelg.*

(Copy.)

Sir, Treasury Chambers, 30 April 1838.

THE Lords Commissioners of Her Majesty's Treasury having had under their consideration your letter, dated 12th instant, in which you transmit copy of a Report of 19th February last, from the Commissioners of Inquiry at Malta, on the subject of the selection of candidates for public offices in that island and its dependencies, with copy of the instructions which Lord Glenelg has addressed to the Governor of Malta, founded on that report, and convey the request of his Lordship that my Lords would inform him in what terms they would wish that he should communicate to Sir Henry Bouverie their pleasure as to the future disposal of the public offices in their gift in that island, I have it in command from their Lordships to request you will state to Lord Glenelg that while my Lords entirely concur in the observations which he has addressed to the Governor of Malta referring to the system on which the patronage of Government would appear to have been heretofore exercised in that island, they are not aware of any circumstances which should require any particular expression of their intentions with respect to appointments under that Government.

My Lords can, however, assure Lord Glenelg that, in the event of their being called upon

No. 14.
Lord Glenelg to Major-Gen. Sir H. Bouverie, K.C.B., 11 May 1838.

to make an appointment to an office in any branch of the public service which has separate relation to Malta, they will be ready to pay due attention to the claims of meritorious natives of the island, who may be desirous of obtaining employment under the Government.

James Stephen, Esq.
&c. &c. &c.

I am, &c.
(signed) *A. Y. Spearman.*

— No. 15. —

(No. 34.)

EXTRACT of a DESPATCH from Major-General Sir *H. F. Bouverie*, K.C.B., to Lord *Glenelg*.

No. 15.
Major Gen. Sir H. Bouverie, K.C.B., to Lord Glenelg, 8 March 1838.

Malta, 8 March 1838.

"HER Majesty's Commissioners of Inquiry have been kind enough to communicate to me a Report, dated the 19th February, which they have sent to your Lordship, on the general policy of this Government,—First, as to the employment of Maltese in executive offices; and secondly, as to the creation or keeping up of numerous small situations for the purpose of securing or increasing the influence of Government.

"In regard to the employment of eligible Maltese in the higher executive offices, on their becoming vacant, your Lordship is aware that all that is now recommended has been already carried into effect, or only awaits your Lordship's decision.

"The office of Treasurer, held by an Englishman, has been abolished as useless, and the head of the Treasury is now the Cashier, a Maltese.

"A Maltese gentleman has been placed at the head of the consolidated departments of Quarantine and Marine Police when the office of Superintendent lately became vacant; and it has been proposed to your Lordship to place a Maltese gentleman at the head of the consolidated departments of the land revenue and the Government works, the heads of which two departments were formerly Englishmen. In this manner three of the most important departments under Government will be placed by your Lordship solely in the charge of Maltese.

"The salaried officers of the Monte di Pietà are exclusively Maltese, and the same may be said of all the other branches of the Government charitable institutions.

"Of the inferior grades of office 49 in 50 are in the hands of Maltese; and of the English who are employed several are married to Maltese, and may fairly be reckoned Maltese themselves: as, for instance, Mr. Carleton, Captain of the Port; Mr. Sedley, a Clerk in the Chief Secretary's office; and Mr. St. John, first Adjutant of Police.

"I cannot but object to its being laid down as a rule, that there ought to be generally departmental promotion: such a rule would at once fetter the Government in providing the most efficient servants as heads of the different departments; if made public, it would either have that pernicious effect, or it would, at times, occasion disappointment and mortification. I must therefore submit it to your Lordship that the Government should be left the power to select generally from the civil service those officers considered most fitting for, and most deserving of promotion to the heads of the respective departments.

"Her Majesty's Commissioners recommend that the offices of Chief Secretary, Assistant Secretary, and Auditor-general should always be English; to these I must beg leave to add the offices of Head of the Police and his first Adjutant.

"I am not prepared to follow the Commissioners into their analysis of the character of the Maltese, as compared with other people living under the British Crown; but I am prepared to say that, so long as Malta is considered as a fortress and a British naval station, the entire setting aside of Englishmen, on a fixed principle, for the purpose of bringing forward Maltese for offices, will be fraught with inconvenience and difficulty, and not impossibly with danger.

"As to the supposition that it has been the practice to create numerous small offices for the purpose of maintaining necessitous persons, and of extending the influence of the Government, I can only say that beyond the establishment of the nearly sinecure places of six Lord-lieutenants, by a proclamation of Sir

Thomas

Thomas Maitland, dated the 5th of June 1815, at the annual salary of 85*l.* 15*s.* each, and given to men of the best families, I know of none; and even these are vested with local judicial powers, which they regularly exercise, and, as I believe, beneficially to the people. I certainly am not inclined to justify the creation or the preservation of any sinecure office; and I do not see much objection to the abolition of the Lord-lieutenants, although I do not anticipate any good effect from this measure beyond that of the ultimate saving of the expense. Nor do I feel inclined to advocate the system of distributing honorary rewards in the shape of decorations amongst a poor nobility. I believe the measure to be more likely to produce extravagance and folly than any good effect; and I cannot but regret that in some instances these honours have not been altogether wisely distributed.

No. 15. Major-Gen. Sir H. Bouverie, K.C.B., to Lord Glenelg, 8 March 1838.

"I have not noticed that part of the despatch of the Commissioners which relates to the law officers, but I agree entirely in the opinion that the offices of Chief Justice and Attorney-general, as now held by Englishmen, are entirely useless, or rather positively hurtful; and that the judges should be exclusively Maltese."

—No. 16.—

(No. 233.)

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K.C.B.

Sir, Downing-street, 31 March 1838.

No. 16. Lord Glenelg to Major-Gen. Sir H. Bouverie, K.C.B., 31 March 1838.

I HAVE the honour to acknowledge the receipt of your despatch (No. 34) of the 8th instant, in which you have favoured me with your observations on the several recommendations of Her Majesty's Commissioners of Inquiry, in regard to the employment of Englishmen and Maltese in the service of your Government, as expressed in their Report of the 19th February.

The views which I had formed on these recommendations of the Commissioners are stated in the despatch which I have addressed to you on the 27th instant, and it has afforded me much satisfaction to find that my views, as actually expressed in that despatch, are so entirely confirmed in every material respect by your own observations and opinions. The perusal of your despatch on this subject has, in fact, suggested no qualification of the advice of the Commissioners which I had not seen cause to adopt, before I had the advantage of receiving your communication of the 8th instant.

I have, &c.
(signed) *Glenelg.*

—No. 17.—

(No. 61.)

COPY of a DESPATCH from Major-General Sir *H. F. Bouverie*, K.C.B., to Lord *Glenelg*.

My Lord, Malta, 1 May 1838.

No. 17. Major-Gen. Sir H. Bouverie, K.C.B., to Lord Glenelg. 1 May 1838.

I HAVE the honour to acknowledge receipt of your Lordship's despatch, (No. 227) dated 27th March 1838, relating to the Report of Her Majesty's Commissioners of Inquiry, dated the 19th February, on the subject of the selection of candidates for public offices at Malta.

From the tables subjoined to the Commissioners' Report, your Lordship has collected certain conclusions with regard to the number of Englishmen and Maltese employed in the civil service at Malta, and the average rates of their salaries.

The tables annexed to the Report of Her Majesty's Commissioners are brought down to the 1st January 1838, and the salaries are divided into two classes; viz. those at and above 30*l.* a year, and those below 30*l.* a year.

Although but few alterations have taken place since then, I deem it right to forward to your Lordship another table of the civil establishment of this island, as it stands on this day, the 1st May, in which the salaries are divided into two classes, but with this difference, that the rates are taken at and above 100*l.* a year, and those below 100*l.* a year; and by this division I think your Lordship will arrive at a juster notion of the relative employment of Englishmen and Maltese under this Government, and of the relative rates of their pay.

No. 17.
Major-Gen. Sir H. Bouverie, K. C. B., to Lord Glenelg, 1 May 1838.

First.—That there are 18 Englishmen holding civil situations above 100*l.* a year, and that the average income of these officers is 415*l.* 4*s.*, and if the offices of Chief Justice and Attorney-general are excluded, the average income of the remaining 16 will be 323*l.* 7*s.* 7*d.*

Secondly.—That there are 45 Maltese holding civil situations above 100*l.* a year, and that the average income of these officers is 203*l.* 17*s.* 4*d.*

Thirdly.—That there are five Englishmen employed, with a salary under 100*l.* a year, whose average income amounts to 48*l.* 10*s.* 7*d.*

Fourthly.—That there are 532 Maltese employed with a salary under 100*l.* a year, whose average income amounts to 31*l.* 6*s.* 9*d.*

Of this latter class there are 94 persons in the situations of clerks; the remainder 438 in number are composed of hospital servants, messengers, sergeants and constables of police, revenue guards, boatmen and guardians of quarantine, and marine police, all of whom, from the nature of their duties, are taken from the labouring classes.

Fifthly.—It follows that the total number of civil situations held by Maltese, above the rank of the labouring classes, including that of the highest judge down to the lowest clerk, is 139.

Since the arrival of Her Majesty's Commissioners in this island, the following four principal civil situations have become vacant, viz. those of the Chief Secretary, the Superintendent of Quarantine and Marine Police, the Collector of Land Revenue, the Cashier of the Government Treasury (now the head officer of the Treasury, by the abolition of the office of Treasurer.)

These four principal situations were all previously held by Englishmen, but with the exception of Mr. Greig, promoted to the office of Chief Secretary, your Lordship has nominated Maltese gentlemen to the other three offices, viz. Mr. Bonavia, Superintendent of Quarantine and Marine Police, Sir Vincent Casolani, Collector of Land Revenue, and Mr. G. Casolani, Cashier of the Government Treasury.

I have, &c.
(signed) *H. F. Bouverie.*

A RETURN, showing the Number of Persons employed on the Fixed Establishment of the Administrative and Judicial Departments of the Government of *Malta*, with the Aggregate of their Annual Salaries, as paid from the Colonial Treasury, distinguishing the English from the Maltese, and specifying the Offices and Salaries of the Individuals receiving 100*l.* a Year or upwards; the whole as existing on the 1st day of May 1838.

DEPARTMENTS.	£.100 and upwards per Annum.				Under 100*l.* per Annum.				TOTAL.	
	English.		Maltese.		English.		Maltese.		Number of Persons.	Amount of Salaries.
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.		
		£. s. d.		£. s. d.		£. s. d.		£. s. d.		£. s. d.
Governor's Establishment	2	5,300 – –	–	– – –	1	16 15 –	4	177 10 –	7	5,494 5 –
Chief Secretary's Office	3	1,669 15 –	4	626 15 –	1	90 15 –	8	346 5 –	16	2,733 10 –
Post-office	1	257 3 –	–	– – –	–	– – –	3	105 15 –	4	362 18 –
Printing-office	1	257 3 –	–	– – –	–	– – –	11	462 18 –	12	720 1 –
Treasury	–	– – –	3	660 – –	–	– – –	5	253 – –	8	913 – –
Audit-office	2	620 – –	1	110 – –	–	– – –	2	100 – –	5	830 – –
Customs	1	500 – –	4	530 – –	1	70 – –	63	2,021 – –	69	3,121 – –
Quarantine and Marine Police	1	300 – –	5	1,185 – –	–	– – –	61	2,300 – –	67	3,785 – –
Land Revenue and Public Works	1	200 – –	5	980 – –	–	– – –	31	1,183 – –	37	2,363 – –
Superior Courts of Justice	2	2,300 – –	8	2,715 16 –	–	– – –	8	388 9 –	18	5,404 5 –
Inferior Courts of Justice	1	180 – –	6	977 4 –	–	– – –	14	600 14 –	21	1,757 18 –
Lord-Lieutenants and their Deputies.	–	– – –	–	– – –	–	– – –	31	1,386 – –	31	1,386 – –
Executive Police	3	770 – –	2	267 9 –	1	5 3 –	95	2,276 17 –	101	3,319 9 –
Prisons	–	– – –	–	– – –	–	– – –	18	506 3 –	18	506 3 –
Markets	–	– – –	1	205 15 –	–	– – –	16	472 14 –	17	678 9 –
Charitable Institutions	1	120 – –	5	722 11 –	1	60 – –	127	3,038 9 –	134	3,941 – –
University and Lyceum	–	– – –	–	– – –	–	– – –	32	940 – –	32	} 1,010 – –
Two persons already included for other salaries in other departments.	–	– – –	–	70 – –	–	– – –	–	– – –	–	
Government Library	–	– – –	1	123 9 –	–	– – –	3	113 5 –	4	436 14 –
	19	12,474 1 –	45	9,173 19 –	5	242 13 –	532	16,671 19 –	601	38,562 12 –

Note.—Persons born in Malta of an English and a Maltese parent are considered as Maltese; and domiciliated foreigners are also classed with the Maltese in this Return; the individuals of both descriptions are very few, and none of them happen to receive large salaries.

SPECIFICATION

SPECIFICATION of the Offices on the fixed Establishment having Salaries attached to them of 100*l.* a Year or upwards.

No. 17.

Major-Gen. Sir H. Bouverie, K. C. B., to Lord Glenelg, 1 May 1838.

	£.	s.	d.	£.	s.	d.
The Governor (receives also contingent allowances at the rate of 400*l.* per annum)				5,000	–	–
ENGLISH:						
Government Chaplain	300	–	–			
Chief Secretary to Government	1,000	–	–			
Assistant Secretary and Clerk of the Council	500	–	–			
A Clerk, Chief Secretary's Office	169	15	–			
Superintendent of the Post-office	257	3	–			
Superintendent of the Printing-office	257	3	–			
Auditor-general	500	–	–			
A Clerk, Audit-office	120	–	–			
Collector of Customs	500	–	–			
Captain of the Port	300	–	–			
Head Superintendent of Civil Artificers	200	–	–			
Chief Justice	1,500	–	–			
Attorney-general	800	–	–			
A Judicial Magistrate	180	–	–			
Magistrate of Executive Police	350	–	–			
Inspector of Police for Gozo	320	–	–			
First Adjutant of Police	100	–	–			
A Clerk, Charitable Institutions	120	–	–			
18 Persons, averaging 415*l.* 4*s.* 6*d.*				7,474	1	–
MALTESE:						
Second Assistant, Chief Secretary's Office (also Registrar of the Supreme Council, with fees averaging 68*l.*)	285	14	–			
A Clerk, Chief Secretary's Office	125	–	–			
Another, same Office, 113*l.* 3*s.* also Writing-master, Lyceum, 20*l.*	133	3	–			
Another, same Office	102	18	–			
Cashier of the Treasury	350	–	–			
Chief Clerk of the Treasury	200	–	–			
A Clerk of the Treasury	110	–	–			
A Clerk of the Audit-office	110	–	–			
Customs:						
First Clerk	160	–	–			
Cashier	130	–	–			
Gauger	120	–	–			
Head Storekeeper	120	–	–			
Quarantine and Marine Police:						
Superintendent	400	–	–			
Assistant Captain of the Port	200	–	–			
Chief Clerk and Secretary to the Board of Health	200	–	–			
Captain of the Lazaretto	250	–	–			
Adjutant of Marine Police	135	–	–			
Land Revenue and Public Works:						
Collector	450	–	–			
First Clerk	160	–	–			
Notary and Keeper of Archives	150	–	–			
Clerk for Gozo	120	–	–			
A Clerk	100	–	–			
Four Judges at 428*l.* 12*s.*	1,714	8	–			
A Judge	350	–	–			
Another	308	10	–			
A Queen's Counsel	192	18	–			
Another	150	–	–			
The two Queen's Counsel receive an extra annual allowance of 25*l.* each.						
A Judicial Magistrate	300	–	–			
Another	180	–	–			
Two others at 120*l.*	240	–	–			
Two others for Gozo, at 128*l.* 12*s.*	257	4	–			
Assistant to the Magistrate of Executive Police	123	9	–			
Carried forward	£. 7,928	4	–	12,474	1	–

No. 17.

Major-Gen. Sir H. Bouverie, K. C. B., to Lord Glenelg, 1 May 1838.

	£.	s.	d.	£.	s.	d.
Brought forward - - -	7,928	4	–	12,474	1	–
Police Physician (who also receives an extra allowance of 60 *l.* per annum as Quarantine Physician) - - -	144	–	–			
Magistrate for the Markets - - - - - -	205	15	–			
Purveyor of Charities - - - - - - -	201	19	–			
A Clerk of the Charitable Institutions - - - -	102	18	–			
Physician of the Hospitals - - - - - -	120	–	–			
A Surgeon of the Hospitals 174 *l.* 5 *s.*, also a Professor in the University 50 *l.* - - - - - - -	224	5	–			
Another Surgeon of the Hospitals - - - -	123	9	–			
Librarian of the Government Library - - - -	123	9	–			
45 Persons, averaging 203 *l.* 17 *s.* 4 *d.* - - -				9,173	19	–
Total at 100 *l.* a Year or upwards - - -				21,648	–	–
Add, generally, below 100 *l.* a year, 5 English, averaging 48 *l.* 10 *s.* 7 *d.* -				242	13	–
532 Maltese, averaging 31 *l.* 6 *s.* 9 *d.* -				16,671	19	–
Total Fixed Establishment - - - £				38,562	12	–

Besides the above, there are 61 Maltese employed in the Quarantine department as guardians, receiving on the schedule of fixed contingencies permanent remuneration, but varying in amount, averaging for each about 21 *l.* per annum.

There are also about 24 extra situations in the whole service, which are held by Maltese, averaging about 16 *l.* each; not including some situations (English and Maltese) lately reduced from the fixed establishment, and which are about to cease as extra.

The charges thus far enumerated are borne by the Colonial Treasury; besides which the Government, as possessor of certain landed estates, has various ecclesiastical appointments in its gift, the chief of which is 282 *l.* per annum, divided between 10 priests of the collegiate church of St. Paul's Grotto, all of whom are Maltese. No Englishman is included among the functionaries of the Church of Rome belonging to the general ecclesiastical establishments of the colony, which are defrayed from separate funds.

On the establishment of the courts of justice appear the following situations held by Maltese, and defrayed from the fees of registry:

One Registrar - - - - - - - - - - -	£. 150
Four Registrars at 100 *l.* - - - - - - - - -	400
Fifty inferior officers, averaging 34 *l.* 16 *s.* - - - - - -	1,740
	£. 3,290

Several of the court officers, including an Englishman, (Court of Bankruptcy) receive contingent direct fees, generally of small amount.

Some contingent indirect emoluments are also derived by persons employed in certain other branches of service, which emoluments are of too limited an extent to require specification in a statement of this kind.

The establishment of the Monte di Pietà, paid from its own funds, is entirely composed of Maltese, namely:

A Commissary - - - - - - - - - - -	£. 140
A Collector - - - - - - - - - - -	100
Twenty-two inferior officers and servants, averaging 27 *l.* 14 *s.* 6 *d.* -	610
	£. 850

Chief Secretary's Office, Malta,
1 May 1838.

H. Greig,
Chief Secretary to Government.

—No. 18.—

No. 18.
Government Charitable Institutions.

REPORT on the Establishments for the Government Charitable Institutions.

To the Lord Glenelg, &c. &c. &c.

My Lord, Malta, 23 April 1838.

We annex to this Report a statement of the establishments which we propose for the committee of the Government charitable institutions, and for those institutions severally.

The annual expense of the present establishments is 4,089 *l.* 19 *s.*, the annual expense of the proposed establishments is 4,162 *l.* 7 *s.*

The list of the salaried officers may appear long; but it has been scrupulously revised with a view to economy, and we believe it cannot be further reduced so long as the expenditure of the Government for charitable purposes continues at its present amount.

The only salary on which we think it necessary to offer any explanation is the salary of the Purveyor to the charitable institutions. The Purveyor now receives a salary of 201 *l.* 19 *s.* a year, with an allowance of two-thirds of the rent of a government house, valued at 16 *l.* a year. We recommend that his salary shall be fixed at 250 *l.* a year (the amount of the salary received by the Captain of the Lazzaretto), and that his allowance of a government house shall cease.

We have, &c.

(signed) *John Austin.*
G. C. Lewis.

Proposed Establishment for the Charitable Institutions of *Malta* and *Gozo*.

Situations.	Annual Salaries. £.	s.	d.	
Office Branch:				
Purveyor and Accountant	250	–	–	
Deputy-purveyor and Clerk, for Gozo	60	–	–	
Clerk	120	–	–	
Ditto	110	–	–	
Ditto	100	–	–	*N. B.*—Two of the clerks are attached to the "Ospizio" and the House of Industry.
Two Clerks, at 72 *l.*	144	–	–	
Clerk	60	–	–	
Storekeeper	72	–	–	
Messenger	25	–	–	
Hospitals of Valletta:				
Physician	125	–	–	
Surgeon	175	–	–	
Ditto	125	–	–	
Three first Hospital Assistants, at 62 *l.*	186	–	–	
A first Hospital Assistant	52	–	–	
Four second Hospital Assistants, at 42 *l.*	168	–	–	
A third Hospital Assistant	37	–	–	
A ditto	32	–	–	
Two fourth Hospital Assistants, at 31 *l.*	62	–	–	
Four Chaplains, at 26 *l.*	104	–	–	
Apothecary	85	–	–	
Assistant Apothecary	60	–	–	
Two Guardians, at 30 *l.*	60	–	–	
Two ditto, at 20 *l.*	40	–	–	
Male Doorkeeper	30	–	–	
Female Doorkeeper	20	–	–	
Cook	30	–	–	
Under-cook	25	–	–	
Two Kitchen Servants, at 20 *l.*	40	–	–	
Barber	25	–	–	
Mattress-maker	25	–	–	
Vestry-keeper	20	–	–	
Ten male Ward-servants, at 25 *l.*	250	–	–	
Four Labourers, at 25 *l.*	100	–	–	

No. 18.
Government of Charitable Institutions.

Situations.	Annual Salaries. £.	s.	d.	
Hospitals of Valletta—*continued.*				
Ten Female Servants, at 15 *l.*	150	–	–	
Keeper of the Cemetery	18	–	–	
Two Grave-diggers, at 25 *l.*	50	–	–	
HOSPITAL OF STO. SPIRITO:				
Physician	40	–	–	
Surgeon	35	–	–	
Hospital-Assistant and Apothecary	20	–	–	
Chaplain	15	–	–	
Cook	10	–	–	
Two Servants, at 10 *l.*	20	–	–	
HOSPITAL OF GOZO:				
Physician and Surgeon	60	–	–	} -- Covering remuneration for out-door service.
Assistant ditto and Apothecary	30	–	–	
Chaplain	15	–	–	
Wardkeeper	20	–	–	
Two Servants, at 18 *l.*	36	–	–	
Cook	12	–	–	
Doorkeeper	10	–	–	
FOR OUT-PATIENTS:				
Medical Attendants; namely,				
One for Cospicua	12	–	–	
One for Senglea	8	–	–	
One for Vittoriosa	8	–	–	
One for Floriana	6	–	–	
Apothecary of the Public Dispensary	30	–	–	
Porter of ditto	20	–	–	
OSPIZIO, AND HOUSE OF INDUSTRY:				
Physician	50	–	–	
Two Chaplains, at 26 *l.*	52	–	–	
Steward	48	–	–	
Under-Steward	36	–	–	
Male Doorkeeper	24	–	–	
Female Doorkeeper	15	–	–	
Cook	25	–	–	
Barber	25	–	–	
Male Wardkeeper	24	–	–	
Female Wardkeeper	20	–	–	
Ditto	15	–	–	
Guardian, Male Invalids	6	4	–	} -- These are allowances in addition to their maintenance as inmates of the Ospizio.
Guardian, Female Invalids	3	2	–	
Eleven Labourers and Servants, at 2 *l.* 12 *s.*	28	12	–	
House of Industry:				
Chaplain	15	9	–	
Doorkeeper	30	–	–	
Cook	21	–	–	
Female Wardkeeper	30	–	–	
Two ditto, at 18 *l.*	36	–	–	
Schoolmistress	30	–	–	
LUNATIC ASYLUM:				
Physician	55	–	–	
Chaplain	10	–	–	
Keeper of Male Maniacs	55	–	–	
Assistant ditto	31	–	–	
Keeper of Female Maniacs	20	–	–	
Assistant ditto	15	–	–	
TOTAL	4,162	7	–	

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Government of Charitable Institutions.

Summary:	£.	s.	d.
Office Branch (for the general details)	941	–	–
Hospitals of Valletta	2,094	–	–
Hospital of Sto. Spirito (at Notabile)	140	–	–
Hospital of Gozo	183	–	–
For Out-patients	84	–	–
Ospizio, and House of Industry	534	7	–
Lunatic Asylum	186	–	–
£.	4,162	7	–

Note of the present Establishment of the Charitable Institutions in *Malta* and *Gozo*, 31 March 1838.

	£.	s.	d.	Total Annual Rate. £.	s.	d.
Fixed Salaries:						
Offices in Malta	856	4	–			
Gozo	45	–	–			
Hospitals of Valletta	2,144	17	–			
Sto. Spirito	120	–	–			
Gozo	122	10	–			
Outdoor medical service in Malta	28	12	–			
Gozo	37	2	–			
Ospizio	264	6	–			
House of Industry	194	1	–			
Lunatic Asylum	104	17	–			
				3,917	9	–
Extra Salaries:						
Hospitals of Valletta	25	–	–			
Gozo	12	10	–			
Outdoor medical service, Malta	50	–	–			
House of Industry	30	–	–			
Lunatic Asylum	55	–	–			
				172	10	–
Total £.				4,089	19	–

William Henry Thornton,
Auditor-General.

—No. 19.—

REPORT on the Institutions for Public Education which are supported by the Government of *Malta*.

No. 19.
Institutions for Public Education.

My Lord, Malta, 27 April 1838.

Your Lordship stated, in your Lordship's instructions to us dated the 16th of September 1836, that the extension of elementary education to all classes of the inhabitants of Malta, and a reform in the existing institutions for the education of the higher and middle classes, had been demanded by some of the persons advancing the complaints which had caused the issuing of our commission. Your Lordship stated further, that it was His Majesty's desire that the object of this rational demand should be accomplished as extensively as possible; since the diffusion of sound knowledge amongst the people of Malta would tend to improve their condition, and to strengthen their attachment to the British crown. Your Lordship stated, moreover, that an improvement in the education of the higher and middle classes would facilitate the admission of natives to employments in the civil government. Finally, your Lordship instructed us to consider

No. 19.
Institutions for Public Education.

consider whether the object in question could possibly be promoted by any, and what, interference on the part of His Majesty's Government; always bearing in mind that such an interference would inevitably fail, and would, probably, be productive of positive mischief, unless it were guided by a vigilant regard for the religious opinions and feelings of the Maltese people.

In pursuance of this instruction, we have prepared the present report on the institutions for public education which are supported by the Government of Malta.

These institutions are the University of Valletta, a Lyceum, or preparatory school, connected with the University, and a few elementary schools.

We will first consider the University and Lyceum, and will then advert to the elementary schools.

Present state of University and Lyceum.

The University was founded in 1769. It was endowed with the lands of a college of Jesuits, in Valletta, which had been suppressed in that year; and it received assistance from the privy purse of the grand masters, from its foundation in 1769 till 1798. After the establishment of the English in Malta, the lands which had belonged to the Jesuits were appropriated by the Government; the Government undertaking, in return, to maintain the University. It appears from the first Appendix to the present Report, that clear of the yearly cost of management and repairs, which amounts to about 5*l.* per cent. on the gross rent, the yearly produce of these lands is about 700 *l.*

The University of Valletta was placed on its present footing in 1834, according to a plan sent by Sir Frederick Ponsonby, in a despatch of the 23d of October 1833, and approved of by Lord Stanley (the Secretary of State for the Colonies), in a despatch of the 29th of November following.

The teachers in the University of Valletta consist of professors in the four faculties of theology, law, medicine, and philosophy or arts. The government of it resides in a rector, who, in certain cases, is assisted by a council.

The complete academical course lasts six years. The three first years are given to instruction in philosophy; the three last, to instruction in theology, law, or medicine. Students are admitted once only in every three years; that is to say, they are only admitted in the year in which the triennial course of philosophy begins. The number of the students admitted for the last triennial course was 159. The number of the students now attending the different classes is 130. The number of the students now attending each class, together with other details, will be found in the second Appendix to the present Report. It will be seen from that Appendix that the attendance in some of the classes is extremely irregular.

Every student pays a fee of 2*s.* 6*d.* a month, so long as his name remains on the books of the University. The produce of the monthly fees of 2*s.* 6*d.* (which amounted in 1837 to 149*l.* 3*s.* 2*d.*) is paid over to the Government. The rector and professors receive salaries from the Government: the salary of the rector is 80*l.* a year; and the salaries of the professors vary from 15 *l.* to 50 *l.* a year, and average about 30*l.* a year. Moreover, the rector and professors divide the fees paid on degrees. In 1837 the rector's share of these fees was 6 *l.* 13*s.* 9½*d.*; and the shares of the professors varied from 6 *l.* 2*s.* 3½*d.* to nothing.

The University of Valletta grants the degree of licentiate (corresponding to the degree of bachelor, granted by the English universities), at the end of the triennial course of philosophy. At the end of the academical course of six years it grants the degree of master in arts, or of doctor in theology, law, or medicine. Every degree in theology, law, medicine, or arts, is granted after an examination by members of the proper faculty; each of the four faculties consisting of several persons besides the professors. Without a doctor's degree in law or medicine from the University, no one can lawfully practise as an advocate or physician in Malta*. But holy orders may be obtained in Malta, without a like degree in theology; and we understand that the number of doctors in theology amongst the catholic clergy of the island does not exceed 30.

Connected

* *See* Code de Rohan, Lib. II. c. 40, s. 2, Lib. VII. c. 6, s. 2. By Lib. I. c. 41, s. 1, no one can be made a notary public, unless he produces a certificate of his having attended a course in the University on the Institutes of Justinian; but this law is not enforced.

Connected with the University, and subject to the control of the rector of that body, is the Lyceum; a preparatory school designed principally for the teaching of ancient and modern languages. Every student attending the Lyceum pays 1*s.* a month during his attendance; and the produce of the monthly fees of 1*s.* (which amounted in 1837 to 51*l.* 8*s.*) is paid over to the Government. The number of the students on the books of the Lyceum in January 1838 was 169; and the number entered in 1834 was 356. The teachers in the Lyceum are paid by the Government; and (excepting the teacher of English, whose yearly salary is 60*l.*,) they receive salaries of 25*l.* or 30*l.* a year.

Proposed reforms in University and Lyceum.

Having given an outline of the present state of the University and Lyceum, we will explain the reforms which, in our opinion, ought to be made in the two institutions.

But, before we explain these reforms, we will advert to certain suggestions sent to us by Dr. Rossignaud, the rector of the University, for the improvement of the institutions for education which are placed under his care.

The leading principle of these suggestions may be stated shortly as follows: Considering the small number and the scanty resources of the Maltese, the University of Valletta ought not to be modelled on any university of the first or second order; the professorships should not be numerous; and the instruction given by the professors should be limited to sciences and arts of practical utility. It is remarked by the rector, that a university with numerous professorships would unduly multiply the persons receiving a learned education, and would thus overstock the learned professions. Even now, the supply of priests, lawyers, and physicians, greatly exceeds the demand for them; and the consequent difficulty of gaining a subsistence, which many of them labour under, has been an inducement with the Government to introduce the pernicious system of creating useless offices, which we exposed in our report of the 19th of February last.

The rector insists on the paramount expediency of extending and improving the education given in the Lyceum. An extension and improvement of the education given in the Lyceum would not be followed by the evil to which we have adverted in the last paragraph. The great majority of the students attending the Lyceum would naturally consist of youths not destined for the learned professions. The education received by them there would not divert them from more homely, though not less useful or honourable callings. It would tend, on the contrary, to fit them for exercising such callings with skill and success; and, moreover, it would tend generally to invigorate their understandings and improve their moral dispositions.

Since we think that the rector's suggestions are judicious and sound, we make them the basis of the reforms in the University and Lyceum, which we submit to your Lordship's consideration.

The principal defect (it appears to us) in the actual system of the university, is the scanty remuneration of the professors. The salary of a professor is so low, that, speaking generally, he is unable to make his professorship a primary object of his attention. To obtain a decent subsistence, he is forced to bestow the best of his time and energies on some calling foreign to the business of teaching. The insufficient pay of the professors is the natural consequence of their excessive number. The Government grant for the support of the university being necessarily small, the share of it which falls to each professor of the number cannot be considerable in amount.

Accordingly, we have prepared a plan for the university, (to be found in the Supplement to our Report,) in which we propose a reduction in the number of the chairs, and an increase in the amount of the remuneration given to each professor. Since the plan has been generally approved of by those who are best acquainted with the actual system of the university, we will not trouble your Lordship with any reasons for its details, besides the reasons assigned for them in the notes to the Supplement. We would briefly remark, however, that an opinion pronounced by Lord Stanley on the actual system of the university, is an authority for the plan which we have prepared. Speaking of the actual system (which had been submitted to him by the local government), he says (in the above-mentioned despatch of the 29th of November 1833,) that the

proposed number of professors is too large, and that the remuneration allotted to each of them is too small.

Besides the plan which we have prepared for the University, we have prepared a plan for the Lyceum, (to be found in the Supplement to our Report,) in which we propose an increase in the number and pay of the teachers.

Objections have been made to the payments which are exacted from the students at the University and Lyceum. The payments, however, are so low, (2 *s.* 6 *d.* a month from a student at the University, and 1 *s.* a month from a student at the Lyceum,) that they would not be objected to by any parent caring to give his children a good education. Indeed, we incline to recommend an increase (rather than a diminution) in the amounts of these payments; since the increase might render the students more regular in their attendances, and might stimulate the professors and teachers to greater exertions. We abstain, however, from recommending it, because it might diminish considerably the number of the students, and therefore impair considerably the utility of the institutions.

It is stated by Lord Stanley in the above-mentioned despatch, that, in his opinion, the emoluments of the professors (and especially of the professors in the higher classes) should depend, in some degree, on the numbers of their pupils, We have considered the practicability of adjusting the remuneration of the professors to the number of their pupils; but we have not been able to devise a plan by which the object of the adjustment would probably be accomplished. In our opinion, the chairs should be endowed with salaries sufficient to enable the professors to live respectably; and, considering the habits of the middling classes in Malta, with the intrinsic respectability of the office of professor, the salaries proposed in the supplement would probably suffice for the purpose. It is desirable, moreover, that a varying remuneration, drawn from the fees paid by the students of his class, should be added to the fixed salary of every professor. But these fees are so insignificant in amount, that an additional remuneration, drawn by the professor from them, would scarcely affect him with an additional stimulus to exertion.

And here we may remark, by the by, that there is no chance of any considerable increase in the number of the students at the University. It is not very probable, nor is it desirable, (as we have already remarked,) that the Maltese students at the University should be considerably augmented. Nor is it at all probable that students from foreign countries will ever resort to it. Most of the countries in and about the Mediterranean are possessed of universities of their own. Such of them as are not possessed of universities of their own, will naturally send their youth, not to the obscure, and necessarily inferior university of this small island, but to the justly celebrated universities which abound on the continent of Europe.

The aggregate, however, of the monthly fees which are paid to the University and Lyceum, forms a considerable sum; and since the rector of the university can influence the success of the University and Lyceum more than any other person connected with them, we recommend that he shall receive two-thirds of the fees in question in addition to his fixed salary. The additional and varying remuneration thus received by the rector would amount annually to 130*l.* or thereabout. It really, therefore, would affect the person on whose activity and conduct the success of the institutions principally depends, with an efficient stimulus to additional exertion. In our opinion, the remaining third of the fees in question, with all the fees paid on degrees, should be applied to the purchase of books and instruments in the manner hereafter specified.

The actual government of the University is extremely faulty. As we have already stated, the rector, in certain cases, is assisted by a council: the functions, however, of the council are not defined, and the attendance of its members is irregular; we recommend, therefore, that it shall be abolished. We recommend further, that there shall be for each of the four faculties a special council, composed of the rector, the professors of the faculty, and two non-professorial members chosen by the Governor. We recommend further, that there shall be for the University and Lyceum a general council, composed of the rector and the professorial and non-professorial members of the special councils; or a general council, composed of the rector and a committee chosen from the special councils, proportionally to their respective numbers. We recommend

recommend further, that if the general council shall be composed of the rector and such a committee, the members of the committee shall be chosen by the Governor, or by lot. We recommend further, that a fundamental statute, determining the government and management of the University and Lyceum, shall be made by the authority of the Governor previously to the creation of the special and general councils. We recommend further, that whenever the statute may be altered, the alteration shall be made in the following manner; first, that if the alteration relate specially to any of the four faculties, it shall be made by the special council of the faculty; secondly, that if it relate generally to the University or Lyceum, it shall be made by the general council; thirdly, that it shall not be carried into effect in either case until it shall have been submitted to the Governor and approved of by him. We recommend, moreover, that the principal administration of the University and Lyceum shall be, as at present, in the rector.

We recommend further, that on any examination for a degree in any of the four faculties, the non-professorial, assisted by the professorial members of the special council for the faculty, shall conduct the examination. We recommend, moreover, that the non-professorial members shall be adequately paid by the Government for the labour of conducting examinations for degrees. We have recommended in the preceding paragraph that the non-professorial members of the special councils shall be chosen by the Governor. It is hardly necessary to remark that, considering the importance of their functions, (and especially of their functions as examiners,) they ought to be chosen with the utmost regard to their qualification for their offices.

In our opinion, the Government library (which is now managed by a separate committee,) should be deemed the library of the University (and Lyceum), and placed under the control of the rector. We think, however, that the public should have access to it, and that books should be allowed to be taken out of it, according to the existing rules.

The Government library has no funds, excepting an endowment of 20*l.* a year. We recommend, therefore, that one-third of the monthly fees paid to the University and Lyceum, with all the fees paid for degrees, shall be applied to the purchase and binding of books for the University library, and to the purchase of anatomical and other instruments, to be used by the lecturers and teachers in the University and Lyceum. We recommend further, that 100*l.* a year shall be granted by the Government for the same purposes.

We recommend likewise, that the Government botanical garden shall be placed under the management of the professor of botany.

The difficulty of finding teachers properly qualified for their business is one of the principal obstacles to the efficiency of the University and Lyceum. We recommend, in order to obviate this obstacle, that a few of the students in the University who may have passed their examinations with distinction, shall occasionally be sent at the cost of the Government to finish their education abroad. The limited means of education afforded by Malta itself have already suggested to the public authorities of the island the sending of youths at the public expense to complete their studies in another country. On the 15th of December 1467, it was resolved by the *consiglio popolare* (as appears from the register of its acts), that six ounces from the rents of the University (or Corporation) of Malta and Gozo should be assigned to the support of the youth Antonio de Surdo, for the purpose of enabling him to study in Sicily during two years. Sir Thomas Maitland moreover sent two Maltese youths to England to be educated at the public cost, but unfortunately both of them died prematurely.

Present state of Elementary Schools, and proposed reforms in them.

We now advert to the Elementary Schools which are supported by the Government of Malta.

There are three such schools; one in Valletta, one in Senglea, and one in Gozo. The number of the boys attending the schools in Valletta and Senglea is about 450; that of the girls is about 278. The number of the children attending the school in Gozo is inconsiderable.

The elementary instruction in Malta is small in quantity and bad in quality. In our opinion, it will never be extended or improved to any considerable extent, unless its extension and improvement be aided by the Government. We recommend therefore that the Government shall establish and support in Malta and Gozo such an additional number of elementary schools as, combined with the three which it supports already, might instruct the whole of the population in elementary knowledge. The sum granted by the Government in 1837 for the maintenance of the three schools which it supports already was only 400*l.* Although its elementary schools were duly extended and improved, the cost of them would not be considerable, as compared with the importance of their object: ultimately, the cost might perhaps be defrayed, wholly or partly, by payments from the parents of the scholars. But, though we generally disapprove of gratuitous instruction, we think that such payments ought not to be exacted at present. At present, the working people are so poor, and so little able to imagine the manifold advantages of knowledge, that the exaction would probably prevent them from sending their children to the schools.

We recommend further, that the rector of the University shall be empowered generally to make rules for the discipline of the schools, and especially to make rules for determining the nature and order of the instruction to be given in them. We recommend, however, that no such rule shall be carried into effect, until it shall have been submitted to the Governor and approved of by him. We recommend further, that the principal administration of the schools shall be in the rector of the University. We recommend, consequently, that he shall be empowered to appoint and dismiss the teachers in the schools; and moreover, that he shall administer the monies granted by the Government for the support of the schools, and account periodically for his application of them.

All the children going to the Government schools in the casals (or country parishes), and almost all the children going to the Government schools in the four cities, will belong to the Catholic church. Their religious instruction, therefore, will of course be directed exclusively by the Catholic clergy. In our opinion, the parish priest of every district containing any such school, should have access to the school-room at all hours; and should be allowed to use it, out of school hours, for the purpose of instructing the children in the religion of their parents and country.

There is some difference of opinion about the language or languages which ought to be taught to the children in the Government elementary schools.

The Maltese language is a corrupt dialect of the Arabic, which has never been used for literary purposes, or even written in a uniform and stable manner. The Italian may be deemed the literary, and even the written language of the island. From the end of the 15th century, the records of the *consiglio popolare* were kept in Italian. The Italian, with the Latin, is the law language of the island; and, accordingly, the laws made and promulged under the government of the order (including the codes or compilations of the grand masters De Vilhena and De Rohan) are written in the former language. Every Maltese author who has not written in Latin has written in Italian. The accounts of the native merchants, native shopkeepers, and other natives engaged in business, are kept in the same language. The Italian, in short, is the language of the Maltese for all purposes but those of familiar conversation. In familiar conversation, people of education, as well as the working people, speak their native Arabic.

From this general use of the Italian language in Malta, from its use as the language of trade throughout the Mediterranean, and from the near neighbourhood of Malta to Italy and Sicily, it follows that the Italian language is far more useful to a Maltese than any other language, excepting his native tongue. We recommend, therefore, that so soon as a child attending a Government school shall have learned to read the Maltese, he shall learn to read and to write the Italian through the medium of the former. We recommend further, that so soon as he can read and write the Italian, he shall learn to read and to speak the English, if the time allotted to his schooling will allow him to do so. The English language would be useful to him (although in our opinion, it would be less useful than the Italian); inasmuch as his native country is subject to the English Government, and Englishmen, in considerable numbers, are always residing or sojourning in it.

A knowledge

A knowledge of the Arabic current on the coast of Barbary, and in Egypt, Arabia, and Syria, would be useful to Maltese of all classes. It would be particularly useful to Maltese physicians and surgeons, to Maltese qualified for employment as accountants or clerks, and to Maltese artisans who are masters of the handicrafts which require extraordinary skill. In the extensive countries in which the Arabic is the prevalent language, Maltese adventurers, of those particular descriptions, would find a spacious field for their enterprise and industry. On that field they would have the better of their competitors amongst the natives, by their greater skill in their callings; and, if they had received the general education which their Government ought to afford them, they would have that general superiority over their native competitors which is possessed by the instructed citizens of civilized communities over the natives of barbarous or semi-barbarous countries. On that field, moreover, they would equal their competitors of other European countries, in professional skill and general knowledge; and they would have a decisive advantage over the same competitors, in their perfect mastery of the native language, and their consequent greater familiarity with the native manners and opinions. Maltese common (or unskilled) labourers might also find employment, to no inconsiderable extent, in almost any of the countries in which the Arabic prevails; as is evinced practically by the considerable number of such labourers who have found employment in Tunis and Tripoli. And here we may remark, by the by, that the extensive countries in which the Arabic prevails afford the convenient outlet to the redundant population of Malta. Being spontaneous, and not forced or stimulated by any interference of the Government, emigration from Malta to those countries causes no outlay of the public money; and, for the same reason, the ill fortune of the unsuccessful emigrants cannot be imputed to the Government by the most captious of its censors. In consequence of the affinity of the Maltese to the natives of those countries, in language, and even in habits, a Maltese emigrant to any of those countries is more likely to succeed in the object of his emigration than a Maltese emigrant to almost any other; in almost any other country (as, for example, in any of the British colonies in America or Australia), he would be completely or nearly ignorant of the prevalent language and habits; and he therefore would find it difficult to turn his labour to good account, and his adventure would probably terminate in failure and distress. It may be added, that the habitual emigration of instructed Maltese to the extensive countries in which the Arabic prevails, would tend to raise the natives to a level with Europeans, or at least to give them a tincture of European knowledge and humanity.

In consequence of the utility of the Arabic to Maltese of all classes, we propose that the language shall be taught in the Lyceum; and, in order that the language may be taught correctly, we propose that the teacher shall be a native of a country in which the Arabic is the prevalent tongue. Students in the Lyceum, including youths qualifying for teachers in the elementary schools, could learn the language from the Arab Professor; and children in the elementary schools could learn it from teachers to whom the Arab Professor had previously taught it. In either case, the language could be learned with little or no difficulty. As we have already stated, the Maltese tongue is a corrupt dialect of the Arabic; and, consequently, a Maltese learner of the Arabic is not mastering a strange language, but is merely acquiring the art of employing his own correctly.

In consequence of the utility of the Arabic to Maltese of all classes, it ought to be taught to the children in the Government elementary schools; but, in consequence of the ease with which the children could learn it, much of their time ought not to be given to the acquisition of it. Most of the time which they might bestow upon languages, ought to be bestowed upon the Italian and English, in the order and manner which we have already described.

We would remark, before we conclude our Report, that the salaries of the Professors and Teachers in the University, Lyceum, and Elementary schools, which are recommended in the Supplement, are the highest, or nearly the highest, which the actual resources of Malta could bear conveniently. The respective grounds for the several rates at which the salaries are respectively fixed, are explained in the notes at the end of the Supplement, in so far as

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explanations of those grounds appeared to us to be requisite. The proposed amount of every salary is proposed, upon the supposition that the place of professor or teacher would be filled by the most competent person whom a salary of that amount could induce to accept it. We recommend, accordingly, that in case such a person could not be found immediately for a place of professor or teacher, the Government (at its discretion) should defer the payment of the proposed salary till such a person could be got, and should pay a lower salary to the intermediate occupant of the office.

It will be seen from the Supplement, that the yearly cost of the proposed establishments for education would amount to the sum of 3,500 *l.* A few, however, of the proposed salaries might need raising above the rates at which they are there fixed; and, generally, many small expenses, not comprised in the estimate which is there given, might arise from an adequate education bestowed by the Government upon the people. In order that it may meet such expenses, we recommend that the Local Government shall be empowered to expend yearly on public education, the sum of 4,000 *l.*; a sum exceeding by 500 *l.*, the 3,500 *l.* which is allotted in the abovementioned estimate to the same purpose. We make the recommendation with unhesitating confidence. We believe that the Local Government is animated by an earnest desire to raise the condition of the people committed to its care. We are satisfied, therefore, that the funds which may be granted to it for educating the people will not be perverted to purposes of patronage; but will be applied faithfully to the procuring of the best instructors, and to the other purposes subserving the object of the grant.

It will be seen from the Supplement, that the cost of the establishments for public education amounts at present to 1,725 *l.* a year; and, consequently, the cost of those establishments would be increased by 1,775 *l.* a year, if the plan proposed in the Supplement were carried into effect. But it may be remarked, that the adoption of the recommendations contained in our Report of the 4th of May 1837, is gradually diminishing the Government expenditure for charity. Moreover, the Government expenditure for charity would be still further diminished by the proposed increase in the Government expenditure for education; since a great extension and improvement of popular education would ultimately diffuse through the body of the people a knowledge of the causes which determine their physical condition. It must, however, be admitted, that the proposed increase in the Government expenditure for education is not inconsiderable. But it appears to us, that the establishments proposed in the Supplement will hardly be deemed expensive, if their cost be compared with the importance of their object: namely, the giving to the Maltese youth, of every class and description, the most complete education which the resources of their country can afford.

We would remark in conclusion, that the only increase in the public expenditure, which we have recommended, is the proposed increase for public education. We beg leave to add, that though this proposed increase is not inconsiderable, it would be outweighed greatly by the considerable saving which would ensue if our proposed economical reforms were carried into full effect; especially if the Maltese regiment were turned into a police force, and the establishments for the administration of justice were duly simplified and reduced. We are sure, moreover, that every Maltese gifted with a grain of intelligence, and animated by a spark of public spirit, would rejoice at an increase in the public expenditure, for the purpose of instructing the people. We are satisfied also, by what we have learned of your Lordship's opinions and feelings, that any recommendation of ours, which may tend to the furtherance of that paramount purpose, will receive from your Lordship the warmest approbation and support.

We have, &c.

(signed) *John Austin.*

George Cornewall Lewis.

SUPPLEMENT.

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	Yearly Salaries.	References to the Notes at the End of the Supplement.
Proposed Establishment for the University:	£.	
The Rector	100	
It is proposed that the Rector shall receive, in addition to his salary, two-thirds of the monthly fees paid to the University and Lyceum, and shall occupy rooms in the University rent-free. Estimating the yearly amount of the fees at 200 *l.*, his two-thirds would amount yearly to 130 *l.*, or thereabout; and estimating the yearly value of the rooms at 10 *l.* or 20 *l.*, his total yearly remuneration would amount to 240 *l.* or 250 *l.*		
Faculty of Philosophy or Arts:		
A Professor of Mathematics and Physics	120	Note 2.
— Logic	80	Note 3.
— Political Economy and Statistics	80	Note 4.
— Latin and Italian Literature, Composition and Elocution	80	Note 5.
Faculty of Theology:		
Two Professors of Theology, with a salary of 80 *l.* each	160	Note 6.
Faculty of Law:		
Two Professors of Law, with a salary of 160 *l.* each	320	Note 7.
Faculty of Medicine:		
A Professor of Anatomy and Surgery	120	Note 8.
— Medicine	100	
— Midwifery	40	
— Chemistry	60	
— Botany	60	
Keeper of Archives	40	
Procurator and Clerk	35	
Prefect	35	
Porter and Messenger	25	
Servant	20	
Total £.	1,475	
Proposed Establishment for the Lyceum:		
A Teacher of Latin	70	
An Assistant Teacher of Latin	60	
A Teacher of Italian	70	Note 9.
— English	120	Note 10.
— French	50	
— Arabic	70	
— Ancient and Modern Greek	50	Note 11.
— Arithmetic	50	
— Geometry and Algebra, with Land Surveying	100	Note 12.
— Navigation	70	
— Writing	40	
— Drawing	50	
— General History and Geography	50	
Prefect	40	
Total £.	890	

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	Yearly Salaries.
Proposed Establishment for the University Library, &c.:	£.
Librarian	125
Deliverer of Books	40
Porter	20
Annual Government Grant for the purchase and binding of books for the University Library, and for the purchase of anatomical, chemical, and other instruments to be used by the lecturers and teachers in the University and Lyceum	100
It is proposed that one-third of the monthly fees paid to the University and Lyceum, with all the fees paid for degrees, shall be applied to the same purposes.	
Total £.	285

	Yearly Cost.
Proposed Establishment for the Government Elementary Schools:	
Cost of a school for the city of Valletta, including the cost of a school mistress for the girls' school annexed to it	200
Cost of two schools for the three cities of Vittoriosa, Senglea, and Burmola	150
Cost of seven schools for Citta Vecchia, the Casals (or country parishes) of Malta, and Gozo	350
Cost of schoolmistresses for the girls' schools annexed to the two schools in the three cities, and to the seven schools in Citta Vecchia, the Casals of Malta, and Gozo	150
Total £.	850

Present Establishment for the University, the Lyceum, the Government Library, and the Government Elementary Schools:		
University and Lyceum	£. 1,010 – –	
Government Library	236 14 –	
Extra salaries of the University and Lyceum, paid out of the separate funds of the Institution*	78 5 –	
		1,324 19 –
* Besides these, the fees received for academical degrees are distributed amongst the members of the Institution and others; they amounted in 1836 to 185 *l.* 5 *s.*		
School at Valletta	£. 250 – –	
— Senglea	100 – –	
— Gozo	50 – –	
		400 – –
Total £.		1,724 19 –

Comparative Costs of the present and of the proposed Government Establishments for Public Education:		
Cost of the present Establishments		1,724 19 –
Cost of the proposed Establishments:		
For the University	£. 1,475 – –	
Lyceum	890 – –	
University Library, &c.	285 – –	
Government Elementary Schools	850 – –	
	£. 3,500 – –	
Additional cost of the proposed Establishments		1,775 1 –
£.		3,500 – –

Notes to the Supplement.

Note. 1. The amounts of the proposed salaries to the professors in the University are not uniform. It may, however, be remarked, that the very lowest of the proposed salaries would afford an inducement to the professor to make his professorship a primary object of his attention. The higher of the proposed salaries would enable the professors receiving them to subsist respectably without extrinsic means, and to bestow the whole of their time on the duties attached to their chairs.

The only principle which we have regarded in fixing the amount of any such salary is the quantity of the pay which probably would be necessary in order to obtain the services of a properly qualified professor. It apears to us that the importance of the science to be taught, or the quantity of the work to be done, is not the true measure for determining the quantity of his remuneration. If a competent professor of a more important science could be got for a small salary, there would not be a good reason for giving him a large one; and if a competent professor of a less important science could not be got for a small salary, there would be a sufficient reason for giving him a large one, supposing that the science ought to be taught in the University. The same reasoning is applicable to the quantity of the work to be done: although the work were comparatively heavy, there would not be a good reason for giving him a high salary, in case he would do it for a low one; and although the work were comparatively light, there would be a sufficient reason for giving him a high salary, in case a low salary would not induce him to undertake it.

Note 2. A person properly qualified for the chair of mathematics and physics could hardly be found in Malta. It is proposed, therefore, that a competent professor shall be invited from Italy. It is thought that a competent professor could not be obtained from that country for a smaller salary than 120*l.* a year. It is believed, however, that a salary of that amount might enable him to live without extrinsic means, and to bestow the whole of his time upon the duties attached to his chair.

Note 3. If the student penetrates to the *rationale*, instead of stopping at the forms of the science, the study of logic is of the highest practical utility, since it tends to give him the power of discerning and accurate thought, which is not less necessary to prudent and useful action than to solid and fruitful speculation. An eminent place is, therefore, occupied by logic, amongst those sciences and arts of practical utility, to which the studies of the university ought to be mainly directed.

Although it is highly important that the chair should be filled by a properly qualified professor, it is not necessary that the salary annexed to it should be fixed at a high rate. Various ecclesiastical benefices, which are nearly or absolutely sinecures in respect to ecclesiastical purposes, are in the gift of the Civil Government. These sinecure benefices would be most usefully bestowed, if they were appropriated by the Government to the support of the chairs in the University, which must or might be occupied by clerical professors. We propose, therefore, that the chair of logic shall be filled as of course by a clerical professor; and that one of these benefices shall be given as of course to the occupant of the chair for the time being, so soon after his appointment as one of them may become vacant. The yearly salary of 80*l.*, aided by the yearly revenue arising from the benefice, would suffice for the respectable subsistence of a clerical occupant of the chair. If all the benefices in question were full at his appointment, the salary might be somewhat increased till one of them became vacant. In our opinion, the chair would generally be filled by a properly qualified teacher, if it were filled as of course by the worthiest clerical professor whom the Government could find to occupy it. The Maltese clergy are a numerous body, and not a few of them have ample leisure for mastering any science, however extensive and difficult. Accordingly, if there were sufficient inducements to acquire the science of logic, some of the Maltese clergy would probably study it, and a person competent to teach it might always be found amongst them. These sufficient inducements would hardly be wanting, if an adequate remuneration were paid to the professor, and the chair were given invariably to the worthiest aspirant.

We propose that the course on logic shall consist of three parts: 1. A short preliminary explanation of such notions of metaphysics as are absolutely necessary to a due understanding of logic. We propose that nothing farther in the shape of mental philosophy shall be taught by any professor in the faculty of arts. Mental philosophy (like ethical philosophy) is far too abstruse and difficult for the apprehension of youths; besides, it has too little of the practical character which ought to be given to the studies of the University. 2. A full analysis of terms, propositions, and the syllogism: the principal subjects of the school-logic, or the logic of Aristotle. 3. An analysis of perfect and imperfect induction, including an analysis of the example. The analysis of the syllogism (with the analysis of terms and propositions, as necessary parts of the syllogism), is the principal object of treatises on the school-logic. Accordingly, they merely touch upon induction; whilst the space which they allot to imperfect induction is scarcely larger that the space assigned by them to the comparatively insignificant subject of perfect induction. This narrow and faulty method of the treatises in question, is probably a principal cause of the discredit and neglect into which the science of logic has unhappily fallen. We propose, therefore, that imperfect induction (simply styled induction by Bacon and others) shall be analysed and explained in the course at least as fully as the syllogism.

Note 4. The utility of a chair of political economy, filled by a competent professor, can hardly be exaggerated. A few of his hearers would probably be incited by his lectures

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to read and to think about the science; from these few, the elementary truths of the science (which, happily, are the most important) would gradually diffuse themselves amongst the mass of the population; gradually dispelling the prejudices which blind them to the causes of their poverty, and divert their attention from the only remedies for the evil. Should a future Government incline to gross errors in its financial, commercial, or other economical policy, this general diffusion of these elementary truths would probably prevent it from committing them; for a barrier of enlightened opinion, hard or impossible to surmount, would be opposed to its presumptuous ignorance. If these elementary truths had been generally understood by the inhabitants, the economical interests of the island would have been saved from many of the evils which the ignorance of its former Governments inflicted upon them; for example, they would not have been visited with the Government monopoly of corn; with the subsequent intervention of the Government in the corn trade of the island; with long and complicated tariffs needlessly shackling its general commerce; with indiscriminating public charity to paupers of the lower classes; or with the conversion of public offices into receptacles for paupers of the higher.

Although it is highly important that the chair should be filled by a properly qualified professor, it is not necessary that the salary annexed to it should be fixed at a high rate. An intelligent and instructed merchant, or an intelligent and instructed lawyer, familiar with the practice of commercial law, might be found by the Government to occupy it; and would probably be better qualified to teach political economy (and, especially, to illustrate its principles from the statistics of the island) than the most consummate theorist utterly unpractised in business. Since such an occupant of the chair would derive an income from his trade or profession, he would not need a high salary; and, accordingly, the proposed yearly salary is limited to 80 *l.*

It being desirable that a knowledge of the science should be spread as widely as possible, we propose that permission to attend the lectures shall not be limited to regular students at the University; and that any person, not a regular student, shall be privileged to attend a lecture or lectures, on receiving from the professor a written authority to do so. In order that persons busied during the day may be able to avail themselves of the privilege, we propose, moreover, that the professor shall lecture in the evening.

Note 5. A properly qualified professor of Latin and Italian literature, composition and elocution, is much wanted in Malta. Though many of the students at the University write modern Latin with remarkable ease and clearness, the Latin classics are generally neglected by the Maltese; and though the Italian may be deemed their language for all purposes but those of familiar conversation, few of them speak or write it with correctness and propriety of expression.

A person well acquainted with the literature of both languages, and writing and speaking both of them with correctness and propriety, could hardly be found in Malta. It is proposed, therefore, that a competent professor shall be invited from Italy.

Although it is highly important that the chair should be filled by a properly qualified professor, it is not necessary that the salary annexed to it should be fixed at a high rate. An accomplished clergyman from the Roman States, or from Tuscany or Lombardy, could probably be found for it; and one of the abovementioned benefices could be conferred upon him so soon after his appointment as one of them might become vacant. The yearly salary of 80 *l.*, aided by the yearly revenue arising from the benefice, would suffice for his respectable subsistence. The salary might be somewhat increased till one of those benefices became vacant, supposing that all of them were full at the time of his appointment to the chair.

Note 6. It is highly important that the chairs of theology should be filled by competent and respectable teachers; but since they would be filled necessarily by clerical professors, it is not necessary that the salary annexed to either of them should be fixed at a high rate. One of the above mentioned benefices could be given as of course to the occupant for the time being, so soon after his appointment as one of them might become vacant. The yearly salary of 80 *l.*, aided by the yearly revenue arising from the benefice, would suffice for his respectable subsistence. The salary might be somewhat increased till one of those benefices became vacant, supposing that all of them were full at the time of his appointment to the chair.

Note 7. Unless the professors of law bestowed the whole of their time on the duties attached to their chairs, those very laborious duties would not be performed properly; but if they were devoted to the teaching of law, and therefore were debarred from the practice of it, their only means of subsistence would be drawn from their salaries; and low salaries, unaided by extrinsic means, would not enable them to subsist respectably. Accordingly, we propose that the professors shall receive salaries of 160 *l.* a year; and we might, perhaps, have recommended that they should receive salaries of 200 *l.* a year, if we had not been deterred from making the recommendation by the need of severe economy in the expenditure of the public money.

And here we would remark that two professors, with salaries enabling them to subsist, could devote themselves to teaching, and therefore could teach effectively. A multitude of professors, without such salaries, would not be able to teach effectively, since they would not be able to devote themselves to teaching, or even to make it a primary object of thei. attention.

We would remark, further, that chairs of law, filled by competent professors, are absolutely

lutely necessary in Malta. Unless the law were properly taught at the university, youths destined for the legal profession would have no means of learning it scientifically. The law, therefore, would probably be practised by an ignorant and degraded class; nay, it would probably be administered by judges unequal to their momentous duties, and unworthy of their elevated stations.

We propose that the professors shall deliver the following courses: Firstly, a course explaining the principles of law, and mapping out the departments into which a body of law is naturally divisible. Since the course would touch upon ethics, in so far as the principles of ethics are implied in the principles of law, it would present an outline of international law (or international morality). The delivery of the course on the principles of law might prevent the completion of the institutional courses, mentioned immediately hereafter; if so, the delivery of the former ought not to be attempted. Its object could be accomplished indirectly, to no inconsiderable extent, in the proposed institutional course on the Roman law. Secondly, an institutional course on the Roman law, concisely explaining the system in all its parts, and presenting an outline of its history. Thirdly, an institutional course on the actual law of Malta, concisely explaining it in all its parts, and indicating all the sources from which it is derived. There is no systematic exposition of the law of Malta; and the want of such an exposition of it may be deemed a principal cause of its extraordinary confusion and uncertainty. Accordingly, the proposed course upon it (resembling Blackstone's Commentaries on the Law of England) would be one of the best gifts which a Maltese lawyer could present to his country. In so far as the law of Malta is derived from the Roman law, the institutional course upon the former would simply refer to the institutional course upon the latter; but it would explain, as completely as the institutional method permits, the various other sources of the actual law of Malta; as, for example, the canon law, the feudal law, the customary law of the island, the laws established in the island by the government of the Order, and the laws established in the island by the British Government. Fourthly, courses on parts of the law of Malta, (as, for example, the criminal law,) expounding such parts in detail. The delivery of the proposed courses on parts of the law of Malta might prevent the completion of the proposed institutional courses, and the proposed course on the principles of law; if so, the delivery of the former ought not to be attempted. The knowledge needed by a student at the University, is a general knowledge of law in the abstract, with a similar knowledge of the Roman and Maltese law, rather than a special knowledge of any portion of the latter. Having gotten the general knowledge from the professors at the University, he could master the special knowledge without the assistance of a teacher.

It is desirable that a course on the English law should be added to the courses proposed above; and some Maltese youth hereafter studying in England (with or without assistance from the public purse) may acquire a knowledge of the English law, which would fit him to lecture upon it in the University of his own country. At present, a course on the English law may be deemed impracticable.

Note 8. It is highly important that the faculty of medicine should be filled by a competent number of properly-qualified professors; for (as we have stated in the Report) the extensive countries in which the Arabic prevails are open to the enterprise and industry of Maltese physicians and surgeons. But, generally speaking, it is not necessary that the salaries annexed to the chairs should be fixed at high rates; since the professors would derive incomes, in addition to their salaries, from private practice or places in public hospitals. It is proposed, however, that a yearly salary of 120*l.* shall be annexed to the chair of anatomy and surgery. Since a person properly qualified to fill this important chair could hardly be found in Malta, a competent professor ought to be invited from Italy; and it is thought that a competent professor could not be obtained from that country for a smaller salary than 120*l.* a year.

The plan for the faculty of medicine, which is given in the Supplement, was settled with an eminent practitioner who belongs to the council of the University, but who is not a professor, nor an aspirant to a professor's chair.

Note 9. An assistant teacher of the Italian language (at a yearly salary of 60*l.* or thereabout) may perhaps be required; but, more probably, the teacher of the Italian language, with the professor of Italian literature, composition, and elocution, will suffice to afford the instruction needed in this department.

Note 10. A properly-qualified teacher of the English language ought to be invited from England; and a properly-qualified teacher could hardly be obtained from that country for a smaller salary than 120*l.* a year.

It has occurred to us, that an English Catholic clergyman might be appointed the teacher of the English language, and might also be appointed chaplain to the Catholic officers and soldiers of the British garrison. A moderate salary annexed to the office of teacher, and a similar salary annexed to the office of chaplain, would form together a considerable stipend; and for this stipend the services of an accomplished clergyman, capable of instructing in English literature, as well as of teaching the English language, might probably be obtained for the inhabitants of the island. The appointment, we believe, would be highly acceptable to the Maltese, would rapidly diffuse amongst them a knowledge of the English language and of English literature, and would tend, more than many a measure of more show, to strengthen their attachment to the English Government and people. An English Catholic clergyman, possessing the appropriate accomplishments, and further qualified for the station by public spirit and prudence, might probably be found, with

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with little or no difficulty, in the excellent colleges and schools supported by the Catholics in England.

If the appointment in question were made, the clergyman appointed to the office of teacher would act in two capacities: as teacher of the English language at the Lyceum, and as professor of English literature at the University. An assistant teacher of the English language would therefore be required at the Lyceum, for the purpose of relieving his principal from the labour of teaching the elements; but an assistant, possessing the qualifications needed for that purpose, could probably be obtained for a low salary. If the appointment were not made, and English literature were not taught at the University, no such assistant would be required. A teacher, however, of the English language, possessing higher qualifications than those which would be needed by such an assistant, would be required at the Lyceum; and such a teacher could hardly be obtained for a smaller salary than 120*l.* a year.

Note 11. It may perhaps be expedient, in order to obtain a properly qualified teacher, that the proposed salary to the teacher of Greek should be somewhat raised. In our opinion, however, it is not expedient that the Greek language and literature should be taught at the University. Few of the Maltese youth could afford to addict themselves to philology, or to any speculative pursuit; and the few whose pecuniary means would enable them to do so, could easily find the desired knowledge at a good German or other continental University. It may, indeed, be remarked generally, that the fitting of youth for practical, rather than speculative life, is the principal scope of the plan proposed in the Supplement.

Note 12. A properly qualified teacher of the elements of geometry and algebra, and of practical applications of them in ordinary business, is much wanted in Malta. It is proposed that such a teacher shall be invited from Italy; and it is thought that such a teacher could not be obtained from that country for a smaller salary than 100 *l.* a year.

John Austin.
G. C. Lewis.

Appendix, No. 1.

MEMORANDUM respecting the property formerly belonging to the Convent of the Jesuits in Valletta.

In the year 1769, Grand Master Pinto expelled from these islands the Jesuits, and with the previous sanction of the Pope, dated 22d November 1769, appropriated the revenues belonging to their institution to the following objects:

1. Maintenance of the Jesuits' church in Valletta, and of the Casa degli Esercizi, at Floriana.
2. Payment of all the burthens which the property of the Jesuits is subject to.
3. Maintenance of a college of priests.
4. Maintenance of an university of literature.

The revenue of the Jesuits was derived from the rent of lands and houses, and from legacies and money invested in mortgages.

The revenue of the Jesuits being insufficient for the fulfilment of all these objects, Grand Master Pinto provided, by a special act, that the deficiency should be supplied by the Tesoro out of the rents of the stores which he had built.

Grand Master Pinto died shortly after this arrangement was made, and as he was insolvent, the stores were taken possession of by the Tesoro, and incorporated with the rest of its property.

After the death of Grand Master Pinto the excess of the expenditure of the University was made good by the Grand Master.

No fondazione exists under the name of Grand Master Pinto, his property having been taken possession of by the Tesoro, in part payment of its debt to that department.

The administration of the Jesuits' property was entrusted to a board, appointed by Government, consisting of a President and three Commissaries, Knights of the Order.

The collection of the revenue was entrusted to an economo, under the orders of the board.

The Revenue of the Jesuits' Lands averaged as follows:

DATE.	Lands and Houses.			Legacies and Mortgages.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
In the year 1800 - - - - -	608	4	2	11	15	10	620	–	–
Ditto - - 1814 - - - - -	835	4	2	11	15	10	847	–	–
Ditto - - 1815 - - - - -	1,004	4	2	11	15	10	1,016	–	–
Ditto - - 1831 - - - - -	722	4	2	11	15	10	734	–	–
Ditto - - 1837 - - - - -	653	7	6	11	15	10	665	3	4

N. B. Besides the expense for keeping up the Università.

Government

Government paid annually, for the maintenance of the Jesuits' church, about 173 *l.*; this charge ceased on 1st July 1833, when, in consequence of an arrangement with the Archbishop of Malta, the Right Rev. Prelate took upon himself to defray the ordinary expenses of the Jesuits' church, without the aid of the sums formerly paid by the Treasury of Government as burthens on the property belonging to the Jesuits.

The expense of collection and maintenance of the property amounts to about 5 per cent. upon the gross receipts.

(signed) *Richard Cumberland,*
Collector.

Appendix, No. 2.

STATEMENT concerning the University and Lyceum.

Actual state of these Establishments, as beginning on the 1st October 1837:

Number of Pupils in the University	108
of their brothers	22
	130
Idem, in the Lyceum	121
Their brothers	48
	169

Number of Pupils entered at the last admission of 1836:

In the University	159
In the Lyceum	216

Total admissions in the Lyceum in each year, from 1834:

From 20 January to 30 July 1834	356
1 Oct. 1834 to 30 July 1835	356
1 Oct. 1835 to 30 July 1836	256
1 Oct. 1836 to 30 July 1837	216
1 Oct. 1837 to 20 Feb. 1838	169

NUMBER of Pupils and Hearers of each Class, according to the present state, showing the Attendance of the Scholars, in reference to the Lessons Taken from the Reports of January 1838.

CLASSES.	Number of Pupils.	Hearers.	Lectures.	Absentees.	Number of Absentees.
Dogmatics	20	-	23	12	73
Morals:					
Ecclesiastical History	12	-	9	12	49
Scriptures	20	-	8	17	98
Civil law	17	4	23	17	75
Ditto - - ditto	21	-	24	5	11
Holy Canons	20	-	13	7	15
Criminal Law	20	-	11	13	32
Practical Medicine:					
Anatomy	17	-	22	17	121
Physiology	21	-	24	16	206
Midwifery	21	-	13	19	159
Chemical Pharmacy	9	-	24	9	86
Philosophy	28	6	24	32	125
Mathematics	27	5	24	17	286
History and Eloquence	26	8	24	4	43

(signed) *E. Canonico Rossignaud,* Rector.

Appendix, No. 3.

No. 19.
Institutions for Public Education.

AN ACCOUNT of the SEMINARY of the Bishop of *Malta*, for the Education of Young Persons for Holy Orders. Drawn up by the Parish Priest, Dr. *Luigi Fernandes*, for the Commissioners of Inquiry.

An Account of the Seminary of Malta.

IN the island of Malta there is a Seminary for young clerks (chierici), to which these persons are admitted by the bishop; and, under the superintendence and direction of the ministers of the church, are occupied in various common acts tending to their discipline and instruction in literature, and in the branches of knowledge requisite for their becoming in time true ministers of the Catholic religion, dominant here.

It experienced not a little opposition at the commencement of its institution, caused principally by the establishment of the Jesuits' College, now not in existence, of which the erection was at the same period wished to be formed in the island. Mention therefore cannot be made of the one establishment without taking notice of the other, they having arisen together at Malta.

Passing over, however, some ordinances issued in respect to the erection of a seminary on the apostolic visit which took place in 1575, by Monsignor Duzina, which were not carried into effect, it was the year 1591 in which the then chosen Bishop, Monsignor Tommaso Gargallo, applied himself to the erection of a seminary, by fixing a tax on the Bishop's revenue, and on those of the cathedral church, of the capitular and parochial prebends, and of the other benefices, as well those of advowson as free gift. And to accomplish this purpose with greater facility, he applied some benefices of free gift to the benefit of the seminary to be erected. Certain, too, of success, he ordered and sanctioned some rules, to the number of 25, which were to serve as a guide for the proper bringing up of the pupils to be admitted into the seminary.

It appears that the Bishop, Gargollo, wished to offer the acquirement of letters and knowledge, not to his own dependents only, but to all the inhabitants of the island.

The order of Jesuits having then arisen in the church, it was desirous of establishing a college for the fathers of that order in Valletta, which city had been recently built; and in fact they determined to build the college, the church, and the residence appropriated to the fathers, on a site acquired in 1570 by the chapter of the cathedral for the building of a cathedral church there, and on another contiguous site, given by the Grand Master, for building the Bishop's palace and the seminary. To this work, in 1592, the then reigning Pope, Clement VIII., gave his consent, by ordering that the proceeds of the tax imposing on the Bishop's revenue, and on the other above-mentioned revenues, and the incorporation of benefices, should be applied not to the seminary (which up to that time was not built), but to the benefit of the Jesuits.

The Bishop, in execution of the pontifical brief, in the acts of the notary, Giacomo Sillato, on the 12th of November of the same year, 1592, was ready to give the above mentioned sites to the college of Jesuits, who did not take possession of them until the 8th of March 1594, this island having been in the meantime repeatedly afflicted with the plague; and on the day following that of the possession, the Jesuit fathers began to keep open schools in a hired house, and so continued to the year 1602, in which year the magnificent and well-divided building, together with its church, was completed in the state in which it is now seen, and there, from that year until the suppression of the order, they kept up the literary and scientific schools, to the great advantage of the Maltese students, and even of foreigners.

Every one sees that the chapter of the cathedral with good reason made the most strenuous opposition to the above described application of the tax formed for the seminary converted into the college, and that the representations made by the chapter for carrying into effect the erection of the seminary, and for the restitution to it of the proceeds of the tax, were most praiseworthy. But here it would be a long and tedious task to relate the various and numerous contestations which took place on this subject in the tribunals of Rome in the course of a century and more, that is to say, from the year 1592 to 1702, in which time, for want of a decisive resolution, the seminary could not be erected; although in the acts of the notary, Antonio Allegritto, under date of the 8th of August, we read that the then Bishop Cagliares erected a seminary, and admitted 12 pupils, who studied grammar and logic, having been maintained at the expense of the said Bishop.

However, that most zealous Bishop, Fra Davide Cocco Palmeri, was destined by the Most High for the formation of an establishment so pious and necessary for the church of Malta; he being called to the bishoprick in 1681, and actuated by real concern, maintained in the tribunals of Rome that the incorporation could no longer be admitted which had been made in favour of the Jesuits, who already possessed a revenue 2,300 scudis, sufficient for 12 persons, who formed that religious community; and in order that he might proceed to the erection of the seminary without further delay, he implored his Holiness the Pope that the superfluous revenues of the Hospital "Saura" might be applied in favour of this establishment, which after some years was no longer observed. Finally, a house of one Ferdinando Fiot, situated at the city of Notabile, being hired, and a rector, a lecturer, a repeater, and a prefect, and some servants, being appointed, he admitted, to the universal joy of all, five Maltese and one Gozitan, all of the age of 12 years.

It

It is useless to call to mind the obstinate repugnance of the Jesuits to the ordinances of the tribunals of Rome, in opposing the reintegration then obtained of the above-mentioned taxes, and of the incorporation of benefices (excepting one termed "ta Mazzara") in favour of the seminary, which, however, was put in execution on the 11th of February 1707, and definitively confirmed on the 2d of August 1710. Here it is to be noted that the procurators of the cathedral, and the canons thereof, except the prebendary "ta Ghabarca," having paid beforehand to the Jesuits a sum equivalent to 10 years of the tax, had obtained from the Holy See a liberation from any ulterior payment.

The elementary studies, and those of philosophy and theology, being terminated by the scholars first admitted, on the 13th January 1715, eight other pupils were admitted into the said house by the Bishop Cannaves, the immediate successor of the deceased Cocco Palmeri, from which house they were removed in 1718 to another one more large and commodious, also taken on rent in the city Notabile, and to these other young boarders were added, who wished to receive instruction in the seminary on paying a monthly sum to be employed in their maintenance.

The pupils in the seminary profitted not a little under the directions of the Bishop Cannaves, who, after being eight years bishop, died.

His successor, Gori Mancini, did not show himself less interested, for even emulating the progress of the Jesuits' schools, in the beginning of the year 1723, he established in Valletta a kind of university for studies, in which he opened schools of grammar, philosophy, moral and dogmatic theology, and of Scripture, appointing priests as masters and lecturers respectively, assigning from his own funds the annual sum of 200 scudis of Malta for salaries, and inviting all persons connected with the ecclesiastical establishment to frequent them. And then, that the institution might acquire perpetual stability, he, by the Pope's authority, removed the seminary to Valletta, as seen by a decree dated the 5th of June in the same year, and confirmed, (notwithstanding the complaints of the canons of the cathedral), by another of the 9th of June 1725.

This removal, however, was not destined to continue. A Maltese gentleman, M. Pietro Cassar, in the year 1728, and precisely on the 20th of May, made an irrevocable donation to the Seminary of his house, situated at the city Notabile, but under the condition that the Seminary should be taken back to that place, as otherwise the donation should be null, as appears in the acts of the notary, Tommaso Vella, under that date. In the mean time, after being bishop for only five years, Gori Mancini departed this life, and was succeeded, on the 14th of March 1728, by Fra Paolo Alferan de Bussan, who was deserving of much praise for his many attentions towards the Seminary; for, being removed by his orders to Notabile, and placed at first in the house of the canon Dn. Adriano Gorgion, offered by him, until the house given by Pietro Cassar could be repaired and adapted, the studies of the pupils and boarders were continued, to their incalculable advantage.

But the Bishop Alferan is not only to be praised for the removal of the Seminary to Notabile, and for the attention he paid to the pupils, as he merits a more distinct encomium for the magnificent edifice which will be presently mentioned. Its site comprehends that on which was situated the house of the above-named canon Gorgion, which was exchanged for that given by Pietro Cassar, and includes also the sites of a large building then possessed by the brothers Gio Battista and Bartolommeo Fiott, by Catarina Mallia, and by Barbarica Xicluna, purchased for that edifice; and as the plan fixed upon required seventeen canes of site, which belonged to the brothers Filippo and Ignazio Bonnici, these persons were also ready to sell the same. The building was begun on the 6th of December 1733, and was completed in May 1740. Then the Bishop Alferan, on the last day of the same month, made an irrevocable donation of it to the Cathedral Church, in the acts of his own court. It is proper to mention here the persons who contributed the sums required for this handsome edifice, which met all the expenses incurred, excepting a portion, as shown presently.

His Eminence the Grand Master Antonio Manuel - - -	*Sc.* 3,000	–	–
The Right Rev. Bishop and Archbishop F. P. Alferan - - -	7,396	2	3
Ditto for Ornaments and Furniture - - - - - -	3,720	10	2
The Università of Valletta, Senglea, and Vittoriosa, by the Grand Master's order - - - - - - - - - -	1,500		–
The Procurator of the Seminary, from rents - - - - -	3,776	8	–
	Sc. 19,393	8	5

The building of the seminary being finished, the Bishop Alferan prepared the most efficacious measures for the direction of literature and science. But this, which kept up the system of admitting pupils of twelve years of age, who were placed in the elementary school, from which they progressively passed into the higher schools, does not require particular mention. But it must be observed, that this system was maintained until 1780 under the most active vigilance of Alferan, and of his two immediate successors in the bishoprick, Rull and Pelerano, there being no want of rectors and masters endowed with great knowledge, and animated with particular zeal in preserving the exact progress of whatever related to instruction in the seminary; the pupils already perfected in theological knowledge being sent forth, and their places supplied by new admissions, to commence their studies in grammar.

No. 19.
Institutions for Public Education.

A different plan was established and kept up by Monsignor Vincenzo Labini, named bishop in 1780. This pastor being desirous of providing the Church of Malta with the most useful ministers, and having therefore determined that all those who wished to embrace the ecclesiastical profession should attend the requisite studies at the seminary, formed, under the counsel and advice of several learned ecclesiastics and professors of medicine, various rules and regulations, which were observed with the greatest exactness during the time he was bishop, and during that of his successor, Fra Ferdinando Mattei.

The following is an accurate account of these rules, compressed into the due brevity, distinguishing them in the different establishments:—

Ministers and persons employed in the seminary:

A rector, who watched over all the operations of the other ministers, as well in the rooms as in the schools, attends to the perfect observance of the rules, and orders and directs the acts of the community according to circumstances. He is vigilant as to what regards economy; and the accounts of the steward being examined, he approves of them under his signature, without which the procurator is prohibited from making any payment.

A vice-rector, who performs the duties of the rector in his absence.

Three prefects, for the three different rooms of the pupils of greater, of middling, and of lesser age, who are respectively obliged to accompany them in all places, excepting the schools; to watch, superintend, and order the execution of all the acts which the pupils are obliged to perform, moderately punishing delinquents, and reporting to the rector any deviation of consequence.

A prefect of the corridores, whose duties consist in hindering any communication between the pupils of the different rooms, or with persons outside, except in his presence.

A steward who provides whatever is necessary for the living of the ministers of the seminary and of the pupils, and who gives an exact account of the daily expenses, confirmed by the rector.

The above-mentioned ministers live in the seminary, and are supported there at the expense of the seminary.

A physician and a surgeon.

A procurator charged with the collection of the rents, and the monthly payments from the students, as well the pupils as the boarders, and with providing the necessary supplies, it being the duty of the steward to make the small daily expenses. This officer, at such time as the bishop pleases, is obliged to render an account of his administration.

A procurator charged with the collection of the tax on the "Media decima," which he pays over to the principal procurator; he also renders an account of his administration to the bishop.

Six masters of the following schools:—

Schools of the Seminary:

Dogmatic and moral theology; course of three years.

Philosophy and mathematics; course of three years.

Rhetoric; course of three years.

Upper Latin class; course variable.

Under Latin class and Italian grammar; course variable.

Singing school.

Acts common to all the pupils, with a specification of the hours as fixed.

On School Days.

Morning:—

½ past 5.—They rise.
6.—Go to the chapel for prayer and mass.
½ past 6.—Study in the room.
¾ past 6.—Breakfast.
8.—School.
½ past 9.—School of theology and philosophy ends.
10.—The other schools finish.
¼ past 10.—Study, and singing school.
11.—Refectory, for dinner, and then recreation.

After Dinner:—

½ past 12.—Repose.
¼ past 1.—Study. From the 6th of June to the vacation, half-past one.
2.—School of the Latin classes, and of rhetoric. From 6th June to the vacation, half-past two.
½ past 2.—School of theology and philosophy. From 6th June, at three.
4.—The schools finish. From 6th June to vacation, at half-past four.

From four to sun-set, walking out. From September to 21st February.

From

From 21st February, and subsequent, the acts of study and walking are regulated as follows:—

From 21st February (after a short recreation), study to three-quarters past four, and then walking until sun-set.

From 6th March, study to five, and then walking.

From 21st March, study to a quarter past five, and then walking.

From 6th April, study to half-past five, and then walking.

From 21st April, study to three-quarters past five, and then walking.

From 6th May, study till six, and then walking.

From 21st May, study till a quarter past six, and then walking.

From 6th June, study till half-past six, and then walking.

But from September to the 20th of February, the pupils who have returned to the seminary, apply to study, which lasts till three-quarters past seven, excepting Saturdays and fast days, when it continues only to a quarter past seven.

From the 6th of June forwards, study after walking is entirely omitted; but recreation is allowed to the hour of prayer.

¾ past 7.—Prayers.

¼ past 8.—Supper, and then thanks in the chapel.

9.—Recreation.

¾ past 9; and from 6th June, until 10 o'clock, spiritual lesson.—On fast days it is at half-past nine.

10; and on fast days, at a quarter before 10, the pupils retire to bed.

On Days of Vacation.

Morning:—

6.—Signal made for rising.

½ past 6.—Prayer, spiritual lesson, and mass.

8.—Breakfast.

¼ past 8.—Study.

¼ past 9.—Walking.

But after May, the walking takes place at half-past six after breakfast; and returning to the seminary at eight, prayer, &c. takes place; and the study is from half-past nine to three-quarters past 10, and then recreation.

11.—Refectory, for dinner, and then recreation.

After Dinner:—

¾ past 12.—Repose.

2.—Prayer, and Christian doctrine.

¾ past 2, or thereabouts, walking till sun-set.

From the 6th of March, the study is until half-past four, and then walking until sun-set.

From 21st March, study till three-quarters past four.

From 6th April, study till five.

From 21st April, study till a quarter past five.

From 6th May, study till half-past five.

From 21st May, study till three-quarters past five.

From 6th June, until the vacation, the study is till six o'clock.

Returning at sun-set, the pupils resume study to three-quarters past seven; except the day before St. Martin, and the three days of Carnival, in which they are dispensed from study.

(From 6th June, study is omitted, but recreation is allowed till eight, and then prayers, &c. takes place.)

On Sundays and Feast Days.

Morning:—

The acts are regulated as in the days of vacation; but on hearing the last signal for mass sung at the cathedral, the pupils leave off study, and proceed to church to join in that function, which being over, they return to the seminary, and enjoy recreation until the dinner hour of the refectory.

After Dinner:—

Until the last signal of the function in the cathedral is heard, the acts fixed for days of vacation are observed, when the pupils proceed there to join in vespers and prayer.

Until the 6th of March, after the function of the cathedral, walking takes place; but from that day forwards, the time of study and walking is regulated as on the days of vacation, and then the acts are observed, as described for those days of vacation.

No. 19.
Institutions for Public Education.

Principal Regulations to be observed by the Pupils.

Admission to the seminary is granted by Monsignor the Bishop; and the person admitted must undergo an examination, in order that he may be put in the proper school.

A pupil is obliged to pay five scudis a month in aid of his maintenance. Over his clerical habits he must wear a black cloak, with a red tippet. He is bound to attend in the cathedral church on Sundays and feast-days, and give ecclesiastical service in its functions. At present the number of pupils is reduced to only three.

A boarder pays the seminary 10 scudis a month for his maintenance. His cloak is black, with a black tippet; in default of pupils he serves in the church. At present the number of boarders is twenty-seven.

Every student is bound to submit himself to all the rules and ordinations, to obey his prefect, subject himself to the punishments which may be imposed on him, and to perform his duty in all respects.

All the students must make use of only the Italian and Latin languages.

All communication with strangers is prohibited, except only his own and nearest relations. If it be necessary to converse with a stranger, it must take place in the presence of the prefect of the corridores.

No one can go out of the seminary under any pretence. On occasions of need, the previous permission of the rector must be obtained, who only grants it on condition that the scholar be accompanied by a person approved of by the rector, or by one of the ministers of the seminary.

All sorts of liquors, tobacco, gold, silver, and money are prohibited to the students: but they may keep a small sum with the prefect for occasions of need.

The students cannot possess any books that are not first approved of by the rector.

Vacations.

From the 20th of July to the 17th of September are the longer holidays, when the students return to their own homes for the summer.

From the second day of Easter to the following Sunday, and from the second day of Christmas to New Year's-day, are the lesser holidays, in which the students also go to their homes.

On Thursday vacation is only observed in the schools, the students continuing to remain in the seminary.

Present Ministers of the Seminary:—

The priest, Dr. Dn Gaetano Vassallo, rector, and lecturer in dogmatic and moral theology.

The priest, Dr. Dn Vicenzo Galea, lecturer in philosophy and mathematics.

The priest, Dn Andrea Schembri, vice-rector, and professor of rhetoric.

The priest, Dn Girolamo Chetcuti, master of the upper Latin class.

The priest, Dn Vincenzo Ciantar, master of the lower class of Latin and Italian grammar.

The priest, Dn Francesco Caruana, prefect of the great room.

The deacon, Dn Pietro Xerri, prefect of the small room.

The priest, Dn Andrea Mallia, steward.

The advocate, Dr. Vincenzo Muscat, procurator-general.

(Unknown), procurator of the "media decime."

Persons employed in Service:—

One porter.
One cook.
Three servants.
One courier.
One barber.

Revenue of the Seminary.

Proceeds of the benefice of	St. Agata	452	6	–
Ditto	St. Nicola, "tal imtarfa"	122	–	–
Ditto	St. Margarita, "ta nizza," and "ta Burgulat"	285	3	–
Ditto	"ta Burisciep"	193	3	–
Ditto	"ta Herbet, il foru"	745	8	13

The property belonging to the above-mentioned benefices has, as to the larger part, been granted on temporary leases since 1700, and some more recently; so that the rents will be increased.

From property in Gozo	230	9	18
From the Media decime	654	4	5
From interest of sundry capitals	149	4	4
From the treasury of Government	600	–	–
	Sc. 3,433	3	–

Passive

No. 19.
Institutions for Public Education.

Passive State of the Seminary Appointments.

Rector	*Sc.* 120	–	–
Lecturer in theology	60	–	–
Ditto philosophy	60	–	–
Ditto rhetoric	60	–	–
Upper Latin class	40	–	–
Under Latin class, and Italian grammar	40	–	–
Three prefects	120	–	–
Servants, about	250	–	–

It is to be observed, however, that the pupils, on finishing their course of studies, must fill one of the above employments gratuitously for two years.

It must also be noted, that the above persons have their daily maintenance in the seminary.

Burden of masses, sung, and said, to be celebrated in the chapel of the seminary, and in the benefice churches of St. Agata and St. Nicola, about	270	–	–
For remuneration of procurator	150	–	–
	Sc. 1,170	–	–

The remainder of the revenue of the seminary, together with the monthly payments from the pupils and boarders, is appropriated to their maintenance, and that of the ministers and servants, and other needful expenses; and also, in the payment of the interest of about *Sc.* 6,000, in which the seminary is actually indebted, although this is now under gradual extinction by a little at a time.

Drawn up in 1838, by the parish priest, Dr. Luigi Fernandes, for the use of Her Majesty's Commissioners of Inquiry in Malta.

— No. 20. —

(No. 267.)

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *H. F. Bouverie*, K.C.B.

No. 20.
Lord Glenelg to Major-Gen. Sir H. Bouverie, K.C.B., 20 July 1838.

Sir, Downing-street, 20 July 1838.

HER Majesty's Government have had under their consideration the Report of Her Majesty's Commissioners of Inquiry, dated 27th of April last, on the existing institutions of public education in the island of Malta, with a view to the reformation of these establishments.

Large as is the expenditure which the Commissioners have recommended for the object of establishing an improved system of general education, Her Majesty's Government are, nevertheless, of opinion, that the propositions of the Commissioners are well calculated to promote the best interests of Her Majesty's Maltese subjects, by securing their intellectual and social advancement; and it is, therefore, with the concurrence of the Board of Treasury, that I have now the satisfaction to authorize you to take the necessary measures for proceeding to the revision and reorganization of the whole of the existing establishments for public instruction, on the principles laid down in the Report of Her Majesty's Commissioners, at as early a period as the state of the finances of your government, and a regard for other demands on the local treasury, may permit.

I am, &c.

Major-general Sir H. Bouverie, K.C.B. &c. &c. &c.

(signed) *Glenelg.*

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OF

REPORTS

OF THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

AFFAIRS OF THE ISLAND OF MALTA,

AND OF CORRESPONDENCE THEREUPON.

PART II.

(In continuation of Parliamentary Paper, No. 141, Sess. 1837–8, Ordered to be printed, 16 February 1838.)

[Presented to Parliament by Her Majesty's Command.]

Ordered, by The House of Commons, *to be Printed,*
16 *February* 1838.

141.—II.

271

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OF

REPORTS

OF THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

AFFAIRS OF THE ISLAND OF MALTA,

AND OF CORRESPONDENCE THEREUPON.

Part III.

(In continuation of Parl. Papers, Nos. 141.–I. & 141.–II., *Sess.* 1837–8, *Ordered to be printed,* 16 *February* 1838.*)*

[PRESENTED TO PARLIAMENT BY HER MAJESTY'S COMMAND.]

Ordered, by The House of Commons, *to be Printed,* 27 *March* 1839.

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REPORTS of the COMMISSIONERS appointed to inquire into the AFFAIRS of the ISLAND of MALTA.

Abstract of Evidence on State of Poor.

ABSTRACT of EVIDENCE on the STATE of the POOR in the *Casals* of *Malta* and in *Gozo*.

(An Abstract was compiled by the Advocate Dr. Ignazio Schembri, from answers made by various persons, during the first five months of 1837, to questions on the state of the poor which had been circulated by the Commissioners. *See* the First Part of the Reports, page 54. That abstract, with considerable curtailments and some verbal corrections, is the abstract here given.)

TABLE showing approximately the Numbers of the Persons belonging to the Classes therein named.

NAMES OF CASALS.	Proprietors who live on their Rents.	Lawyers.	Priests.	Employed under Government.	Medical Persons.	Proprietors who cultivate their Lands.	Tenants of Land.	Shopkeepers.	Artisans.	Fishermen.	Mariners.	Labourers.	Observations.
itta Vecchia and Dingli	–	8	122*	13	4	–	32	78	158	–	2	2,000	* 65
Iusta	–	6	14	3	1	20	200	30	20	–	–	800	friars
ebbug	2	4	35†	3	3	20	200	63	30	–	–	1,000	nuns.
ggeui	1	4	21	4	2	14	120	36	33	5	–	1,000	† 10 clerks
rendi	1	1	9	1	–	10	25	10	7	13	–	240	
icabiba	–	–	7	–	–	20	12	6	–	–	–	500	
rrico	1	3	19	3	1	3	260	33	6	9	–	250	
fi	1	–	2	2	–	1	16	2	–	–	1	16	
ircop	–	–	1	1	–	–	26	3	1	–	–	57	
itun	–	5	32	38	–	30	75	44	43	150	40	1,000	
ttard	5	1	7	2	–	2	26	18	4	–	–	75‡	‡ 16
a	4	1	15	7	1	6	15	10	175	–	–	100	goat-herds
alzan	2	–	10	1	1	3	15	9	55	–	–	100	
rchircara	4	3	29	6	6	30	150	65	295	180	20	300	
udia	–	–	10	5	–	1	80	7	2	–	4	150	
sciac	–	2	10	4	–	2	20	7	2	1	2	250	
uca	–	2	8	3	–	–	20	15	6	1	1	40	
bbar	–	–	21	9	–	–	80	37	30	52	125§	200	§ 80
rscien	4	–	10	6	–	–	30	11	6	–	6	80	boatm
rmi	–	4	17	3	4	–	160	54	24	–	2	1,300	
xaro	–	4	20	3	4	20	100	25	30	2	–	1,200	
rgur	–	–	5	2	–	–	50	7	48	16	–	220	
Gozo (*a*)	5	27	120‖	66	7	100	2,500	185	100	300	400	4,000	‖ 20 friars

(*a*) Gozo has six casals, besides the suburb of Rabbato. The casals are Nadur, Caccia, Zebbug, Garbo, Sannat, and Scenchia.

Note.—The following statement was given by the Honourable Mr. Portelli, in his answers for the two islands of Malta and Gozo. Although the Cities are not within the purview of the abstract, the statement, including the Cities as well as the Casals and Gozo, is given in its original shape.

CLASSIFICATION OF THE POPULATION.

		Families.	Individuals.		
Productive Classes.	*Agricultural Class:*				
	Proprietors	443	2,215	28,675	89,960
	Tenants of land	1,591	7,955		
	Labourers	3,491	17,455		
	Shepherds	210	1,050		
		5,735			
	Industrial Class:				
	Merchants, dealers and shopkeepers	1,690	8,440	61,285	
	Manufacturers	253	1,266		
	Artisans	753	3,766		
	Clerks	316	1,583		
	Labourers	2,747	13,736		
	Mariners (merchant shipping)	3,370	16,880		
	Fishermen and boatmen	1,900	9,495		
	Porters	633	3,165		
	Mulateers and drivers	590	2,954		
		12,252			
Unproductive Classes.	Employed under Government	471	2,355	11,567	25,610
	Priests and friars	-	900		
	Nobility	200	1,000		
	Liberal professions	500	2,500		
	Monasteries, conservatories, Saura hospital	-	400		
	Aged persons in hospitals	-	600		
	Servants	542	2,712		
	Soldiers	500	800		
	Convicts	-	300		
		2,213			
	Poor, without means			14,043	
					115,570

Agriculture.

THE cultivated part of the surface of these islands is principally cultivated by tenants, commonly called Gabelotti. They are persons who hire, for the purpose of cultivating them on their own account, portions of land which belong to others; and which they take for a short term, at a certain rent, and under certain conditions. In general the land is let for eight years, excepting the property of the church, or that belonging to pious institutions, which is let for four years.

There is another kind of letting for cultivation, called "enfiteusi," or enfiteutic lease. At the present day, leases of this sort are rarely granted; but formerly, the church, the government, and even private individuals, granted, under this title, lands of bad quality, or difficult of cultivation, for a long term of years (in general 99), at a certain annual rent, termed "canone," or quit-rent. The quit-rents fixed in former times are found to be higher than the present full rents, and higher too than the mere value of the produce; so that the enfiteutic tenants are at present under the necessity of giving up the property, together with the improvements made thereon, or of having recourse to the authority of the courts of law for the purpose of obtaining a diminution of the quit-

Abstract of Evidence on State of Poor.

rents. The reason assigned for this is the excessive fall in the value of produce, and especially of cotton, while the quit-rents remain the same.

It is only to a very small extent that the land is cultivated by the owner. The Government and the Church own about two-thirds of the cultivated land of the islands which yields rent. Most of the other third is owned by private individuals residing in Valletta, or in other countries, and is let by them to tenants. The remainder is for the most part divided in small portions among many small proprietors, down to the lowest scale of measurement known in the island; and is generally cultivated by themselves, in conjunction with other land which they take on hire.

When the proportion between the produce of a piece of ground and the rent paid for it is taken into consideration, it follows evidently that the tenants must generally be in arrear, and in debt. It is almost everywhere asserted that the rent, coupled with the necessary expenses, absorbs the value of the ordinary produce; and that the tenant therefore lives by doing all the work he can with his own hands. The cultivation of a farm of five salms of land occupies the farmer constantly. In ordinary times, such a farmer would gain $6\frac{8}{12}d.$ a day, after paying rent and expenses; but at present, owing to the want of means for conveniently cultivating the ground, and the liability to continual thefts of produce from off the soil (which compels the gathering in of the remaining produce before maturity), tenants cultivating five salms of land can hardly get their daily living. The price of field produce, within the last 10 years, has fallen one-half, whilst rents have only fallen one quarter. These are kept up by the great competition of tenants, who offer, on property falling out of lease, more than they can really afford, by way of rent; which arises from their want of other resources. This is encouraged by some proprietors, who, without looking narrowly to the solvency of the bidders, prefer the highest offer, and trust for payment to the seizure of the produce; which is the entire ruin of an agricultural tenant. But it seems that at present a more rational system prevails of giving a preference to the most solvent bidder, over one who offers more than his means will allow.

In general proprietors do not advance capital to the tenants; neither do they spend any portion of their rents on the improvement of their land, unless they cultivate them themselves: for there are very few proprietors who have any revenue beyond what is necessary for their decent support. Moreover, the improvements they might make would not turn to account; as the value of the land, and its annual rent, would not be increased in proportion. It may be added, that landed properties, and especially lands of small extent, are almost all mortgaged for debts owing by the proprietors; a circumstance which, besides showing their inability to make advances to the tenants, or to improve the lands, demonstrates the depressed state of agriculture in general.

The providing of implements of husbandry, and of animals necessary for farming, is at the charge of the tenant; the proprietor bearing no part of it. Of the tenants mentioned in the preceding statement, it is believed that out of 100 scarcely 5 have sufficient implements for farming; all the rest have great want of them, and their average amount of capital employed in implements is not considered to be more that 10 scudi, or 16*s.* 8*d.*

The tenants who pay punctually and in full the rents due by them, are very few; when they pay in full, it is only in consequence of legal threats, expenses, and long waiting on the part of the landlord, who thus succeeds in getting paid a long time after the rent is due. There are some good tenants with whom it turns to account to pay the year's rent in advance; because when they make this agreement with the landlord, they obtain a reduction of about one fourth of the ordinary rent. In general, tenants do not find money on loan; and if sometimes they can find any one to lend them small sums, it will be at 10 per cent. or more, and the amount will be partly made up of the price of articles put down very high, and far exceeding the market value. The want of credit in which all the tenants find themselves, not unfrequently obliges them to sell the produce while in the ground, or even before it is sown, for a third or even for a half less than its real value. Sometimes they borrow the seed for sowing, such as barley, wheat, &c., and bind themselves to return double the quantity after getting in the crops.

It seldom happens that tenants are turned out, but seizures of produce are very frequent. The expenses requisite for obtaining from the court a sentence of ejectment, and the consequent writ of execution, and those necessary for obtaining a writ of seizure of the produce, are exorbitant. The last are considered to amount to 60 per cent. on the value of the produce, and if the land is small the judicial expenses are comparatively greater than 60 per cent. When tenants are ejected they generally seek employment as labourers, and if they do not find it they are reduced to begging; others emigrate; and others, urged by irresistible want, take to thieving.

The land is in the greater part fit for cotton in the casals Notabile, Zebbug, Siggevi, Zeitun, Lia, Balzan, Tarscien; and for corn, in the casals Musta, Dingli, Crendi, Macabiba, Zurrico, Safi, Chircop, Gudia, Asciac, Zabbar, Birchircara, Attard, Nasciar, and Gargur. Curmi, owing to its low situation, is adapted to horticulture, there being abundance of water. Where the land is fit for cotton, it is still better adapted for corn, and every other kind of cultivation. But a great part of the soil of Malta consists of what is termed "sciara," that is to say, rock mixed here and there with patches of earth; which, being in some manner cultivable, is also let out to tenants.

The roads of the casals are in a bad state, except the roads which lead to Valletta. Owing to the traffic of carriages to and from the city, these are more frequently repaired: all the rest are very rarely mended; some of them having been 16 years without repair. The roads which lead from one casal to another, the lanes which lead to remote but cultivated places, and the greater part of the roads within the casals, are impracticable, and delay agricultural operations, especially where they are too narrow and winding to permit the passage of two carts together.

Manufactures.

The principal manufacture of the casals is spinning with the spinning-wheel, or, sometimes, the spindle. Second to this, is the weaving of canvass, cotton, and cloth used for clothing by the country people; and the necessary preparatory work, such as winding, beating the cotton, &c. There are other manufactures peculiar to some of the casals, as, for example, the salt works and earthenware in Birchircara, matting for chair bottoms in Siggevi, and tanning of hides at Tarscien.

The approximate number of female spinners, in the following casals, is as follows:

Musta	500	Lia	221
Zebbug	400	Balzan	200
Siggevi	50	Birchircara	600
Crendi	10	Gudia	50
Micabiba	300	Luca	70
Zurich, Safi, Chircop	2,500	Asciac	70
Zeitun	2,000	Zabbar	500
		Tarscien	50
		Curmi	100

The spinners are not employed during the whole year; even during the greater part of the year they want work, not finding dealers to give them cotton. A woman spinning from four o'clock in the morning till nine at night, will spin at most half a rottolo of cotton, and gains about 10 grains (less than 1*d.*) net; that is, after deducting the expense of oil for light. A weaver of cotton cloth makes about sixty canes in ten days, if he is assisted by a woman to prepare the shuttles, &c. for him; his gain is 20 taris (2*s.* $9\frac{4}{12}$*d.*), not including the cost of oil and what he pays the folder of the piece (in all, about a tari). A weaver of canvass gains about 13 taris net per week. The man who turns the spinning-wheel gains 24 grains (2*d.*) a day, and the other two spinners 1 tari each ($1\frac{8}{12}$*d.*). Broom makers get 6 grains a day ($\frac{1}{2}$*d.*). The salt makers, that is, the lessees of the salt-pans, for which they pay an annual rent to Government, have uncertain profits, depending on the earlier or later period that the rainy season comes on. The labourers at the salt-pans gain about 15 taris a week (2*s.* 1*d.*). Those who work at earthenware have only

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miserable wages. The tanners gain 12 grains a day. Spinning-machines are very few in the island, excepting the wheel. The cost of this is about 10 taris (1*s.* $4\frac{8}{12}$*d.*)*.

Fishing.

Fishing is not an inconsiderable resource for about 400 persons who are employed in it. Those with boats (and they are the greater number) do not in general go more than three miles from Gozo. They fish in shares: that is to say, each sailor takes a share, and there is a share for the boat, and two shares for the nets (Zeitun); or, six shares for the nets, one for the boat, and one for each sailor fishing (Birchircara). The annual medium gain of these persons is about 40 scudi a head, and for the repair of the utensils and boat†. A fisherman with a hook at the sea side gains about 15 scudi net per annum.

Wages of Agricultural Labourers.

The field labourers are generally employed by the farm tenants, or by the owners, when they have to raise walls fallen down, or to make other repairs. Their wages are in general 4 taris ($6\frac{8}{12}$*d.*) per day; in spring, 4 taris and 10 grains ($7\frac{6}{2}$*d.*); in summer, 5 taris ($8\frac{4}{12}$*d.*) in money; in winter, two mondelli of barley and 12 grains (1*d.*) in money, or even without the penny, in barley only. But more than half the farmers are unable to pay their labourers in money, and give them, instead thereof, cotton, meschiato (wheat and barley grown together), or bread; valuing these articles too at higher than the market prices.‡

The wives and children of the field labourers have no productive employment, except that of spinning at the wheel. But if the women are put to work on the land for others, their wages are only 2 taris ($3\frac{4}{12}$*d.*) a day. Children, from 12 to 16 years of age, are paid 15 grains ($1\frac{3}{12}$*d.*); from 16 to 22, they get the same wages as women. In fact, the family of a field labourer, consisting of five children, may, including the gains of the parents, get sc. 60, or about 5*l.* a year.

Causes and Consequences of the prevalent Poverty, with Modes of Relieving it.

Want of Work. Excess of Population.

The prevalent poverty is generally attributed to want of work, which has fallen off; the condition of the labouring classes having become, under the operation of this cause and various indirect causes, worse and worse every year since the year 1814.

The poverty is not ascribed by the poor classes to the tendency of the population to exceed the demand for labour. In their opinion, the population has remained stationary since the better times still remembered. They believe that up to about the year 1814, and independently of the period of the great trade

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* Those who weave, at their own houses, a piece of cloth of fine English cotton, of 60 or 70 canes, gain 3*s.* 4*d.* For a like number of canes wove of Malta cotton, or mixed with English, 2*s.* $2\frac{8}{12}$*d.*, or 2*s.* $9\frac{4}{12}$*d.*, from which gain, 6. 8. must be paid to the man who does the shuttles, and $1\frac{6}{12}$*d.* for oil. About 10 days are employed in making such a piece, and about 13 hours' labour a day. Women who spin at the wheel gain 2. 6. a rottolo, employing two whole days, and their nights, at work. The children employed in this work have neither bed nor covering; they mostly sleep on a little straw, and with their clothes on.—(Baron De Azzopardi, for casal Zebbug.)

† Those who have their own implements gain about 5*d.* a day; and those who have not, about $3\frac{4}{12}$*d.* a day.—(Crendi.)

‡ The wages paid by the Monte di Pietà, in 1835, for the cultivation of the lands near St. Paul's Bay, and putting the produce in a fit state for sale, were as follows:

A head gardener	pence	10.	10
Gardeners, diggers, reapers and sowers, pickers and driers of cotton		8.	4
Pruners		10.	0
Gatherers of mulberry leaves		3.	0
Cotton-gatherers and weeders (women)		3.	4
Children, $3\frac{4}{12}$*d.*, $4\frac{2}{12}$*d.*, and		5.	0
Carriers of faggots		5.	10
Ploughmen, with animals furnished by themselves, $28\frac{4}{12}$*d.* and		30.	0
and carriage, 15*d.* and		16.	8

The women who separate the cotton from its seeds are generally paid 9 grains a rottolo.—(Mr. Thompson.)

trade here, there were divers branches of labour in Malta which do not at present exist, or are much depressed; and to the annihilation or depression of these they ascribe the present low wages. It is nevertheless not denied, that in the present state of things, the great number of children aggravates the misery; which would cease if means could be found for their employment. Abstract of Evidence on State of Poor.

The poor make no provision for marriage; some of them even borrowing their wedding clothes. But this (it is said) does not infer in them a want of foresight or consideration. It is true that the thought of to-morrow decreases in urgency, in proportion as it descends to the lowest classes of society. But the poor of Malta (it is said) do not incur any new burden by marriage, if their way of living and their domestic economy be considered. Husband and wife continue to work as they did when they were single; the wife taking the charge of the family cares. Little or nothing is expended for the education of the children, since they scarcely receive any; and the expense of clothing and food for them is so small, that it enters unobserved into the ordinary expenses of the parents.

It rarely happens that all the labourers of a casal are employed. The months in which the greater number are employed, are April, May, June and September; in January, February, July, August and December, the greater number are out of work.

As the wages of the labourers hardly serve for the day, they could not, even if they were single (and there are very few above 25 years of age who are not married), save anything out of them. Therefore they are obliged, when out of work, to go about begging, to maintain themselves (which is the case with the majority); others pawn their effects, if they have any; others are driven to thieving, especially from the fields. Mendicancy. Aged poor. Illegitimate children.

The labourers not being able to save anything to maintain themselves and families during the time they are out of work, cannot, however frugally and industriously they may pass their youth, put by any provision for old age. Those among them (and they are few) who have seen better days, or are less worn out, keep their strength for work till about 60 years of age; but at the present time they are rarely fit for hard field labour after 55. It is true that the aged who are unable to work are not abandoned by their children or grandchildren, but these can do little or nothing for their relief.

Fathers, from motives of conscience, generally maintain their illegitimate children. Perhaps the greater number of them are ignorant of the existence of any law of the country imposing this obligation on them.

It is very seldom that children are exposed; and when this has taken place, it has rather been the effect of shame on the part of the mothers, who feared the knowledge of their frailty by their parents, than the result of want*.

One of the worst consequences of the prevalent poverty, and at the same time a most active cause of it, is the frequency of thefts in the country. These are more frequent in the months in which the greater number of labourers are unemployed; because want is then more urgent, and almost general. The articles most liable to such thefts are all sorts of growing crops, growing wood, implements of agriculture, and domestic animals. Frequency of Thefts. (Want of efficient Police.)

The present legal means for preventing such offences, are nearly or altogether ineffectual.

The thieves threaten the witnesses, in order that they may not give evidence, or that, if cited, they may not depose the truth. They revenge themselves on any one giving information against them, or giving evidence unfavourable to them, in various ways: as, for example, by killing or wounding animals; by burning bee-hives, or rooms in which field produce is kept; by rooting up trees, cotton, &c.; by turning animals into grounds in seed, for the purpose of doing damage; by pulling off roofs, and the like. The farmers are therefore

* Since the suppression of the Foundling Hospital, which existed at Citta Vecchia up to 1818, only three cases of exposure have occurred there.

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fore very often induced to compromise with the thieves who have robbed them, and to make them their friends by gifts or promises*.

The police of the casals is everywhere most insufficient. It may be said to be a nullity in regard to thefts, and to be quite useless or merely formal in every other respect. It is composed, in the larger casals, of a sergeant and a capitano, or of one or two constables; in the smaller ones, the sergeant frequently serves for two neighbouring casals, and the constable for two or three. In some districts there is an adjutant of police†, but he is of no use as far as regards thefts. The same may be said of the rounds. The shopkeepers who sell spirits and are obliged to pay 10 scudi a year for a licence so to do, and those who only sell wines and are obliged to pay five scudi for such purpose, are exempted, the former from a half and the latter from the whole tax, if they submit to go by turns on the rounds, in company with the sergeant or the capitano: but there are very few who at the present time consent to this, and almost all prefer to pay for the licence. The country, properly so called, (that is to say, beyond the inhabited villages,) remains entirely unlooked after, at the mercy of the thieves. The persons placed under the nocturnal precept can hardly be attended to; and in general, after having answered the first call of the rounds, are certain of not being called again, and freely go out to do what they like.

The precept or injunction against going about during the night, is certainly an excellent punishment, and well fitted to diminish the number of thefts; but as it exists at the present time, it is easy to elude it.

In consequence of thefts, the farmers have been compelled, for about the last 20 years, to watch their lands or gardens by day as well as by night, and thus no slight expense‡ is occasioned to them; which is the greater the more such time of watching is prolonged, that is to say, according as the products are gathered in a greater state of maturity. The greater number not being able to support such expense for any length of time, are obliged to gather the produce prematurely, to the serious diminution of its quantity, and deterioration of its quality. Nor does such watching always produce the desired effect, as the watchmen are frequently overpowered by companies of thieves. The farmers do not always obtain a licence to watch their fields with fire-arms; and those who obtain it do not venture to fire on the thieves, as the round itself hesitates so to do, owing to the want of an express law permitting it.

In the general reform of the police, which is so extremely necessary, the casals are certainly not a little interested; and in respect to thefts in the country, they especially look for an efficacious and speedy remedy.

Epidemic maladies.

Several deaths, arising from want of food, occurred not long ago §; and many others, in consequence of persons having fed themselves on herbs and roots only fit for cattle. Illnesses (such as typhus fever and dysentery) very often happen, caused by insufficiency of food, or by its unwholesome quality. In Zurrico, in the year 1836, there was an epidemic malignant fever, and another epidemic in 1833; also one at Curmi and in Nasciar in 1834: all caused by bad food taken under the urgency of hunger.

Mendicancy. Private alms.

It cannot exactly be said what is the real number of the constant beggars, because it is not customary to give licences to those who follow this mode of getting a living, although the law prescribes it; but the ascertainable number in the casals, and in Gozo, of those who may be properly termed beggars, is about

* The bad characters and delinquents of the country, especially in matters of theft, may be pointed out without fear of mistake, and yet they are not informed against: because the witnesses are threatened by the delinquents with serious injuries, as well to their persons as their properties; and the threats have been always carried into execution, in cases of information given, either by the guilty person himself, or by his companions.

† The fifth district has no adjutant; a district consisting of six casals.

‡ The watchmen are paid differently; thus, by day, for each watchman, Musta, 36 grains; Zebbug, 24; Siggeni, 14; Crendi, Micabiba, 18; Zurrico, Safi, Chircop, 20; Lia, Balzan, Birchircara, 20. By night, Siggeni, 24 grains; Crendi, Micabiba, 36; Zurrico, Safi, Chircop, 40; Lia, Balzan, Birchircara, 40. In Gozo, the watchman employed to look after contiguous fields belonging to divers proprietors is paid a tari a day for every tummolo of land; being employed by one alone, four taris for each day's watching, without distinction of seasons.

§ There were four at Musta, three at Siggevi, five at Crendi and Micabiba, 11 at Zurrico, two at Zeitun, two at Zabbar and Tarscien, nine at Nasciar, two at Gargur, and one at Birchircara.

about 2,500. They principally belong to the working classes. This number does not include children, who all make a practice of begging; nor those who, when work is difficult to be had, increase the beggars in the country to a very great extent*.

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Laymen of every class, (from the rich proprietor, down to the labourer nearest to a state of beggary,) give alms according to their means; so also do the clergy and ecclesiastical bodies, especially the Capuchin friars. As Catholics, from religious duty, give alms secretly and without ostentation, it is impossible to say what may be the amount given, or in what sums. The proportions which could be approximately obtained of what is given in alms, is as follows: —A good shopkeeper gives about 30 scudi a year (Notabile.) In Musta, about 1,800 scudi are annually given in alms, between money and things in kind. A tenant of land who gains 80 scudi a year, gives 10 to the poor (Crendi, Micabiba); a priest who has 200 scudi a year, gives 30 (ib.); a shopkeeper, who gains 90 scudi a year, gives five in charity (ib.); a priest at Zurich, acting for two individuals alone of that casal, has given about 1,500 scudi in charity, since 1820 to the present time, amongst decent but distressed families. In casal Chircop, about 100 scudi a year are given in alms; in Safi about 170; in Lia about 140; in Balzan about 100; in Birchircara about 800; in Curmi about 720; in Nasciar about 770; in Gargur about 200; in Gozo about 4,000.

Charitable foundations. Government charitable institutions and Government alms.

There is no house of refuge for the indigent, except the hospital "Saura" at Notabile. It was originally founded for persons labouring under bodily infirmities; but now poor persons not having such infirmities are admitted. It is under the direction and administration of the Bishop for the time being. It has an annual revenue of about 9,000 scudi. Ninety poor are its inmates, a number diminished from above 125, of which it formerly consisted. In almost all the casals, there are one or more foundations for the relief of the poor. Their revenues vary from 60 scudi downwards.

The hospitals for the sick are those of Santo Spirito, at Notabile; that of St. Giuseppe, at Zebbug; and two, one for men and one for women, at Gozo. That of Notabile has 19 beds, and is administered by the Monte de Pietà; the second is instituted for convalescents, and has 600 scudis annual revenue, of which 200 go in expenses; the doctor and procurator serve gratis. The two at Gozo are Government institutions.

The Government gives monthly alms, but it is not precisely known to what amount, or to what persons.

Emigration.

Many persons, chiefly single men, emigrate; married people, with their families, rarely do so. Many others would emigrate, but have not the means of doing so. Those who have hitherto emigrated have raised the means by disposing of some of their remaining moveables, or have received charitable assistance for the purpose.

Distress arising from want of work was the cause of emigration; the distress overcoming the strong attachment which binds the country people to their casals. They emigrated chiefly to Egypt, and to Barbary; also to Greece, Constantinople, Spain, Sicily, and the Brazils, and many other places. They all found themselves better off than in Malta; and those who have come back from caprice, or to see their families and relations, or to take them back with themselves, or on account of their health, or for other causes, always brought a small sum of money for the purpose of making a little traffic in the country. But the greater part of those who returned went back sooner or later, seeing they could not get on here.

Very few emigrants have entirely deserted their families; and the greater number have succoured them.

Notwithstanding the many emigrations, the wages of labour have remained the same; for the farming tenants continuing in the same miserable condition, limit as much as they can the number of their labourers, though they thereby cultivate their land badly.

It

* In Gozo, when there is a want of field-work, about one-sixth of the population is reduced to begging.

Abstract of Evidence on State of Poor.

Land-tax for relief of poor.

It is strongly asserted in all the casals that it is not a desirable measure to impose a tax on lands and houses for the relief of the indigent. Many, and conflicting among themselves, are the reasons and observations given on this head. The following are a few of them, taken from the respective places where they were given:

Musta.—The principal burden of maintaining the poor falls on the owners of land; and at present is not oppressive. The proposed tax would turn the present voluntary and not heavy contribution for the relief of the poor, to a forced and burdensome one.

Zebbug.—It is impossible to levy this tax; no proprietor could pay it. It would be hurtful to the poor man, because it would expose him to the molestation of the proprietor. Moreover, in the petition now before the House of Commons, a diminution and not an increase of taxation is requested.

Crendi and Micabiba.—A tax on land would destroy agricultural industry; the value of land would fall by one half; this value is now nearly absorbed by hypothecations (mortgages).

Zeitun.—The greater part of the lands are on enfiteutic tenure; therefore they cannot bear new impositions.

Nasciar, Gargur.—There are a great number of poor who inhabit the houses of the owners without paying rent; at present they are allowed to do so, but they would no longer be so if the proposed tax were to take place.

Lia, Balzan, Birchircara.—Instead of imposing a new tax, the Government should assist the poor from the savings which can and ought to be made out of the annual expenses defrayed by the island.

Curmi.—A tax, not on lands and houses, but on articles of pure luxury, is desirable. The salaries of the Government officials ought to be reduced, and every such salary exceeding 1,000 scudi ought to be taxed for the relief of the poor.

Education.

It may be said that there is hardly any sort of education in the casals. With the exception of a school at Notabile, called "Grande," endowed with 60 scudi a year from Government, and 40 scudi from the cathedral church, attended by only 10 boys, where reading, writing, and grammar are taught, the Government does not provide for public instruction in the casals. At Zeitun there is a school, called the Normal School, established by a private individual, attended by 45 boys and 30 girls, under a master and mistress, whose salaries are 5 scudi each. The boys learn reading, writing, arithmetic, and the catechism; the girls are taught to read, write, embroider, sew, and make artificial flowers. In Gozo there is a public school, with only one master, who teaches 46 boys the Italian, Latin and English languages, arithmetic and writing, five days a week, and six hours a day, and he has 45 scudi a month salary. There is no girls' school there. All the other schools are private ones, under the direction of clergymen. The labouring classes have no means of paying for the schooling of their children.

About 1,764 persons, including the clergy, can read and write in the casals; in Gozo about 350. In the casals about 523 persons can read, without knowing how to write. About 1,980 understand Italian in the casals; in Gozo about 250. In the casals about 150 understand English, and about 30 in Gozo.*

The people in the casals do not know what education is (Zurrico). They cannot be said to be opposed to it. On the contrary, public elementary schools, in which the Government should take a sincere and efficacious interest, are desired in the principal casals. It is also desired that their organization and method of instruction should form part of the legislation of the country; and above all, that the teachers should be previously instructed and prepared, in order that they may properly discharge their important duties, without which popular education will always he defective.

* In one of the Tables which the Honourable Mr. Portelli has annexed to his answers, after calculating the population of the cities at 48,200, that of the country at 53,170, and that of Gozo and Comino at 14,200, in all, 115,570, he divides this number into 56,693 men and 58,877 women; and then again into 99,384 in a state of ignorance, 10,165 that can read and write, and 6,021 having a knowledge beyond the first elements of learning.

REPORT ON THE POLICE OF MALTA.

(Extracts.)

My Lord, Malta, 10 January 1838.

Report on the Police of Malta.

In reporting to your Lordship on the state of the police in Malta, and on the means of improving it, we shall first explain the existing system of police, and the authorities by which it is exercised; we shall then show the defects of the existing system; and shall lastly recommend the measures which ought, in our opinion, to be adopted for the purpose of remedying these defects.

The ordinary duties of a police (viz., the guarding of persons and property, the maintenance of public order, and the apprehension of persons suspected of crimes,) are in Malta performed by the Department of Executive Police. This department is composed of a magistrate of executive police, who has the chief superintendence; of an assistant and six clerks; six adjutants and deputy adjutants; two serjeant-majors, 37 serjeants, and 34 constables.*

The deputy-lieutenants of the casals, 21 in number, likewise act under the direction of the magistrate of executive police, although they have also a petty civil jurisdiction. There is, besides, a small police establishment in the island of Gozo, consisting of an adjutant, a clerk, four serjeants, and nine constables of casals, together with four sindaci, or deputy-lieutenants. The expense of the executive police of Malta and Gozo amounts to 3,688 *l.* a year, exclusive of the salaries of the lord and deputy lieutenants, which amount to 1,338 *l.* a year.

The powers and duties of all the above officers are limited to the *land*. For the *sea*, there is the Department of Marine Police, which (as your Lordship is aware) has recently been consolidated with the Quarantine Department.

One class of duties which would naturally be comprehended within the duties of the general police, viz., the care of the markets, has been, in Malta, entrusted to a separate department, entitled the office of magistrate of the markets. This department was created in 1818, by Sir Thomas Maitland, upon the abolition of the Universita, which, besides supplying the public with wheat, also exercised an inspection of the markets (see Proclamation of 30th December 1818, No XI). The principal duties of this magistrate are to inspect the provisions exposed for sale in the market, to prevent the adulteration of corn, wine, and spirits, and to guard against frauds in weights and measures. He has likewise a criminal jurisdiction, without appeal, in all offences against the market regulations (see Proclamation of 27th February 1828, No. IV, sect. 13—16.) There is a similar magistrate for the island of Gozo. Altogether 16 persons are employed in the two market departments of Malta and Gozo, at an annual expense of about 750 *l.*

Besides the duties performed by the departments of executive police and of the markets, other police duties are performed by the Royal Malta Fencible Regiment. This regiment (which now consists of 24 officers, 30 serjeants, 24 corporals, 11 drummers, and 444 privates,) performs no duties of a strictly military nature; and it can be considered a part of the garrison of Valletta, so far only as its services would be available in case the island were attacked by a foreign enemy. In the town it mounts ten guards, for the purpose

* In the numbers stated in the text, are included some serjeants and constables who are constantly employed, but are not on the fixed establishment.

Report on the Police of Malta.

pose of assisting the police; it also furnishes night patrols to accompany the police; and during the day it escorts the convicts who are employed in cleaning the streets, and in other public works. In the country it furnishes sentries who occupy the towers round the coast, for the purpose of preventing smuggling, and the communication of vessels not in free pratique with the island. It also performs some extraordinary duties of a similar nature, the details of which will be found in the State of the Regiment, annexed to this Report.

Appendix, No. 2.

We will now state to your Lordship the origin of this regiment, its annual expense, and the manner in which this expense is defrayed.

In 1814, a veteran Maltese corps, which had been raised soon after the British took possession of Malta, was formed into four companies, with a major, an adjutant, four captains and eight lieutenants. It took no share of the garrison duties, but acted merely as a police force. In 1815 the Veteran corps was formed, together with the Maltese Provincial Battalion and Coast Artillery, into a regiment of ten companies, styled the Royal Malta Fencibles, which continued to perform the duties hitherto performed by the Veteran Corps. Two captains of the Royal Malta Fencibles were attached to the police to do duty as adjutants, with two serjeants, and about 50 corporals and privates, to perform police duties. In 1817 this regiment was reduced to six companies; but it continued to furnish the same strength to the police until 1821, when the captains ceased to do duty as adjutants, and two serjeants and 50 privates were transferred to the establishment of the police. The regiment now consists of six companies; a seventh company, which was added by Lord Hastings, having been reduced in the beginning of the governorship of Sir F. Ponsonby.

Before the year 1828, the expense of the regiment was paid by the treasury of Malta (out of the revenue raised from the island). By a despatch from Mr. Huskisson to Sir Frederick Ponsonby, of 31st December 1837, No. 14, and by a despatch from Sir George Murray to Sir Frederick Ponsonby, of 22d August 1828, No. 16, the government of Malta were in substance informed, that the expenses of the Malta Fencibles would in future be defrayed by the English Treasury, but that the treasury of Malta must annually pay into the military chest a sum sufficient to cover these expenses. It is stated in Mr. Hay's letter to Colonel Stewart, of the 18th June 1831 (containing a detailed comment on the Report of the Colonial Commissioners of 1830), that the transfer of the Fencible regiment from the establishment of Malta to the Army Estimates, was part of a general measure which had chiefly for its object to bring the whole armed force of the empire under the more immediate control of Parliament, and that it was not made from any apprehensions that the resources of the Malta government would be found inadequate to indemnify the British Treasury for the charge of that corps (s. 6). The account in the Appendix will show the sums annually paid by the government of Malta towards the expenses of the Fencible regiment from 1828 to 1836. For the eight years from 1828 to 1835 inclusive, the average annual payment somewhat exceeded 11,500 *l.*, and covered the expenses of the regiment. In 1836, on account of certain extraordinary expenses incurred by the government of Malta, it had not a disposable surplus of more than 5,000 *l.*; and your Lordship, with the concurrence of the Lords Commissioners of the Treasury, sanctioned the payment of this sum into the military chest, in respect of the expenses of the Fencible regiment for 1836. (Despatch of Lord Glenelg to Sir Henry Bouverie, of 28th April 1837, No. 70.) Mr. Spearman, however, in his letter to Mr. Stephen, of the 18th April, conveying the opinions of the Lords Commissioners of the Treasury, states that their Lordships conceive it desirable for the Governor to be cautioned that the expenditure of his government must be kept within such bounds as to insure sufficient surplus revenues, after providing for the civil expenditure, to defray the charge for the Malta Fencible Regiment. The rule, therefore, at present established, is, that the cost of the regiment shall be annually voted by Parliament, and defrayed by the British Treasury; but that a sum sufficient to cover this cost shall be annually paid by the government of Malta (out of the revenue raised from the people of the island) into the military chest.

Appendix, No. 3.

The total expense of the regiment, for the 12 months from 1st April 1837 to 31st March 1838, was 11,187 *l.* 4 *s.* 2 *d.* The total amount of pensions for military

Appendix, No. 1.

military services, payable by the government of Malta, in November 1837, was 1,491 *l.* 12 *s.* 6 *d.* The present annual expense of the government of Malta, for the maintenance of the Maltese regiment, may therefore be taken, in round numbers, at 12,600 *l.*

We will now explain the defects of the present system of police.

These defects may be reduced to two main heads: its inefficiency and its expensiveness.

The chief cause of the inefficiency of the police, is the small number of persons attached to the civil department. Besides the adjutants, there are only 73 regular policemen in Malta to a population of more than 100,000 inhabitants; that is to say, about one policeman to every 1,370 persons. Even of this small number of policemen, a considerable portion are inefficient. The pay of a police constable is now so low, the majority having only 10 *l.* a year, as not to afford a sufficient inducement to men capable of doing the duties of the office. Many persons have likewise been placed in the police (rather as a provision for themselves than with a view to the public service), who, from old age, or from other causes, are unable to perform the active duties required of them. From a return of the civil police force in Malta recently prepared by the head of the department, it appears that out of 73 regular policemen 24 are unfit for service.

The small number of able-bodied and efficient policemen at the disposition of the head of the civil police, are required, with few exceptions, for guarding the city of Valletta and its appendages. As the city contains about half the population of Malta (exclusive of Gozo); as it constantly contains several thousand soldiers, and, for a large part of the year, several thousand sailors of the Royal navy, besides a multitude of merchant seamen; and as it is the seat of the Government, and the residence of the chief part of the wealthier classes, it naturally forms the first object of the care of the police. The entire strength of the civil police, omitting the inefficient persons, would not suffice to guard Valletta and its appendages, by day and night. Out of this force, however, the protection of the country, as well as of the town, is to be provided for; and, accordingly, the country is very insufficiently protected, or, rather, is scarcely protected at all. The lamentable insecurity of property exposed in the country, the constant marauding which prevails there, the expenses to which the cultivators are put for guarding their fields, and the necessity to which they are frequently subjected of gathering the produce of the soil before it is ripe, in order to save it from plunder, appear from the evidence which we have collected on the state of the poor in the casals. So slight is the protection now afforded by the police, that the inhabitants of the country are in general afraid to come forward as witnesses in criminal cases lest they should suffer in their property or persons. This applies not only to the petty thefts which are constantly committed upon the produce of the fields, but also to more serious offences. In November last, the Government offered rewards for the discovery of the persons concerned in four murders, and two crimes bordering on murder, all of which had been committed in the island within a year, and of which the authors have never been detected. For the great majority of the crimes committed in Malta, the law is utterly powerless, on account of the inefficiency of the police.

See Abstract of Evidence, &c. *ante*, pp. 9, 10.

Appendix, No. 4.

The division of the police force into two bodies, one civil and the other military, which are subject to different authorities, likewise increases its inefficiency, by creating jealousies between persons who ought to co-operate cordially to a common end, and by weakening the control over them.

It may be further mentioned that, owing to the defects of the prison, it is the practice to employ the convicts in sweeping the streets, and in other public works, and that 42 privates of the fencible regiment are engaged in guarding the convicts so employed in Malta alone. If, as we shall recommend lower down, a new prison be constructed on an improved plan, this branch of the police duties will cease.

Report on the Police of Malta.

The second defect in the police of Malta is its expensiveness.

The total annual cost of the executive police for Malta and Gozo (including the lord-lieutenants and deputy-lieutenants), of the two departments of the markets, and of the Maltese regiment, may be taken, in round numbers, at 16,700*l.* We have no doubt (as we shall show presently), that an efficient police might be obtained for a considerably less sum than is paid for the existing inefficient police.

The expensiveness of the present system arises principally from the organization of the Maltese regiment, which forms the chief strength of the police. As it is organized for military purposes, and used for civil purposes, a great part of its establishment (and that not the least expensive) is useless. Thus the Maltese regiment has one general officer, as colonel, one field-officer, six captains, twelve subaltern officers, and five staff officers, scarcely any of whom are needed for the duties which it performs. There are also fifteen musicians and four drummers, besides pioneers, staff-serjeants, officers' servants, and others, whose duties are quite foreign from those of a police. No officer's guard is found by the Maltese regiment, and only five out of the twenty officers are constantly on duty. The payment of 800*l.* a year to a general officer nominally commanding the regiment, but in fact residing in Italy, would also seem to be inconsistent with its character of a police force. Moreover, it appears from the duty state of the regiment, that, although it performs certain police duties, not above half the privates are constantly employed for this purpose.

Appendix, No. 2.

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Another cause of needless expense in the existing constitution of the police is the maintenance of a separate department for the inspection of the markets. The abolition of the market department was recommended by the Commissioners of 1830, and was directed by Lord Goderich to be carried into effect, "as soon as arrangements could conveniently be made for that purpose." (Letter of Mr. Hay to Colonel Stewart, of 18th June 1831, section 13). This direction of the Secretary of State was communicated to Mr. Godfrey, the head of the executive police, and to Dr. Scifo, the magistrate of the markets, by Sir Frederick Hankey, the chief secretary, in letters dated the 28th January 1832. No further step has, however, been taken in pursuance of this direction, and the department of the markets remains at present in its original form. It appears to us that there is no reason for separating the inspection of the markets from the other duties of the police; and, indeed, we think that the vesting of this petty authority in a distinct department tends to produce a vexatious interference with the persons who are subject to it. We think, likewise, that the powers of apprehending, accusing, and condemning for breaches of the market regulations ought not to be lodged, as they now are, in the same officer. For these reasons we are of opinion that Lord Goderich's direction ought to be immediately carried into effect, in the manner which we shall presently specify.

Having explained the present constitution of the police, and having stated its defects and inconveniences, we proceed to submit to your Lordship the plan which we have formed for increasing the efficiency of the police and diminishing its expense.

1. We recommend that the Malta fencible regiment cease to be a regiment of the English army, and included in the Army Estimates; that such part of it as may be fit for the purpose, be incorporated with the civil police, and that (with the exception to be hereafter mentioned) the rest be superannuated on such pensions as the services of each man may entitle him to. We shall be prepared to submit to your Lordship the details of the establishment of the police corps to be so formed, in case Her Majesty's Government should adopt our recommendation. We anticipate that the ultimate reduction of expense would be nearly equal to a third of the present expense of the Maltese regiment, and the police and market departments. The head of the police ought, in our opinion

opinion, to possess ample powers for securing obedience among the men placed under his orders; and the police ought to have a semi-military character, in respect both of arms and discipline. A body of this kind would be far more efficient in ordinary times for the purposes of a police than the existing regiment, even in case of the very improbable event of popular tumults in the island. If the island should be attacked by a foreign enemy, it might be used for military purposes.

Report on the Police of Malta.

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According to the present arrangement, the island is put to a very heavy expense for the maintenance of a regiment which is unsuited to its ordinary purposes of a police force in time of peace; and which, on account of the purposes to which it is applied in time of peace, would not be much better fitted for purposes of warfare than the police force which we propose to substitute for it.

2. We recommend that a number of men sufficient for performing the duties of a coast guard (that is, of preventing breaches of the quarantine and customs laws,) be added, upon the dissolution of the Maltese regiment, to the department of quarantine and marine police, and be placed under the orders of the head of that department. The officers of the quarantine department are subject to very severe regulations: it is a capital offence to allow communication with a ship not in free pratique with the island, which has not a clean bill of health; and if the ship has a clean bill, the officer is liable to a heavy fine.

3. We recommend that the two market departments of Malta and Gozo be abolished, and that the inspection of the markets be performed by the police. We further recommend that the criminal jurisdiction now exercised by the magistrate of the markets be transferred to the magistrates of judicial police.

4. We shall consider the expediency of the petty civil jurisdiction now exercised by the deputy-lieutenants when we report on the judicial establishments. For the present, therefore, we shall recommend no change in this function of the deputy-lieutenants. We see, however, no reason why the establishment of lord lieutenants should not be immediately abolished. These offices, to which no substantial duty is attached, were created for no other purpose than that of pensioning a few of the Maltese nobles. We object altogether to the maintenance of offices for such a purpose: but as they were given as pensions, we think that they ought to be maintained as pensions; and therefore we propose that pensions be granted to the six actual lord-lieutenants equal to their present salaries, and that their offices cease from the grant of such pensions, but that they be allowed to retain their nominal rank.

Prison for Convicts.

Having reported to your Lordship on the police of Malta, we proceed to a subject closely connected with it; viz. the necessity of building a prison adapted to the purposes of a prison: for without such a prison the exertions of the police must in a great measure be fruitless.

The present prison for convicts is that which was used during the government of the Order for the confinement of the Turkish slaves. It is wholly inadequate to its purpose, on account of the smallness of its size. As there is not sufficient space to enable the convicts to work in the prison, they are led through the streets and in the neighbourhood of the town to work in chains, under the guard of soldiers of the Maltese regiment, with drawn bayonets. This practice is utterly inconsistent with all sound principles for the infliction of punishment. It is also repugnant to English habits and opinions; and it therefore creates in the numerous English who now pass through the island, and who are only acquainted with the government by superficial appearances, an impression unfavourable to its character. The smallness of the prison further makes it necessary that a large number of convicts should pass the night in the same room; a practice on the ill effects of which we need not dwell.

We believe that your Lordship has already sanctioned the building of a new prison; and the Governor has caused a plan to be prepared, which his Excellency will transmit by this mail, and which appears to us to be perfectly adapted to its purpose. The estimated cost is not considerable, and the money will probably be defrayed out of the current revenue; if not, it can easily be raised by loan. The plan adopted is that commonly known as the Philadelphia plan, which the excellent Report of Mr. Crawford (confirmed by the opinion of many Englishmen, Americans, and Frenchmen conversant with prison discipline) has proved to be the best. The plan has been so arranged that the whole prison need not be built at once.

* * * * * * * * * * * *

The building of a new prison will not, considered in a pecuniary point of view, be an uncompensated loss to the Government, and the people of the island. The expense of guarding the convicts in the streets will be saved; and when solitary is substituted for social confinement, the periods of imprisonment may be considerably shortened.

With reference to this last point, we will further remark, that it will in our opinion be useless to promulgate any criminal code in Malta until a new and efficient prison shall have been constructed. One of the most important parts of a criminal code is the determination of the punishments; and it will, in our opinion, be impossible to determine the punishments with any approach to sound penal principles, till the Government possesses a well-built and well-regulated prison.

We will remark, before we conclude our Report, that if Her Majesty's Government should adopt the arrangement about the Maltese regiment which we have just proposed, and should adopt the other measures for retrenching needless expenditure, which we have before recommended, and shall hereafter recommend, the ordinary expenses of the government of Malta will be easily defrayed by the revenue raised from the island; and it will never be necessary for the British treasury to aid the treasury of Malta directly or indirectly, (except, perhaps, for the purpose of relieving the inhabitants under some such extreme calamity as the great plague in 1813). The duties on imports, as recently modified, with the quarantine dues and the rents of the public lands, promise to yield a revenue which would be more than adequate to all the genuine wants of the local government; and which would enable it, after providing for those wants, to reduce the taxes now pressing on the population.

* * * * * * * *

We have, &c.

To the Lord Glenelg,
&c. &c. &c.

(signed) *John Austin.*
G. C. Lewis.

APPENDIX TO REPORT ON THE POLICE OF MALTA.

Appendix, No. 1.

In the Army Estimate, the Royal Malta Regiment is stated to consist of,

25 Officers.
41 Non-commissioned Officers.
468 Rank and File.

534 all Ranks.

	£.	s.	d.
Pay, and daily allowances - - - - -	10,547	4	2
Annual allowance to Field Officers, Captains, &c. -	140	–	–
Clothing - - - - - - - - - -	500	–	–
Total for the service of the 12 months, from 1 April 1837 to 31 March 1838 - -	11,187	4	2

The above taken from the last Army Estimates.

(signed) *Fred. Hankey.*

Report on the Police of Malta.

Appendix, No. 2.

Appendix, No. 2. - - - - -

Duty State of the Royal Malta Fencible Regiment; *Malta*, 12th November 1837.

DISTRIBUTION.	Field Officers.	Captains.	Subalterns.	Staff.	Serjeants.	Corporals.	Drummers.	Privates.
Present at Head Quarters in Valletta:								
* Fit for duty in Valletta - -	1	4	9	4	15	9	11	140
* Ditto, acting serjeants and corporals, and cadets as such - - -	–	–	–	–	–	6	–	30
Garrison staff officers and regimental officers servants and batmen - - - - - -	–	–	–	–	–	–	–	24
Staff serjeants - - - - -	–	–	–	–	6	–	–	–
Orderly-room clerks - - -	–	–	–	–	1	–	–	1
Tailors and shoemakers - -	–	–	–	–	1	1	–	6
Mounted orderlies and public employ - - - - - -	–	–	–	–	–	1	–	5
Cooks - - - - - -	–	–	–	–	–	–	–	4
Pioneers - - - - - -	–	–	–	–	–	–	–	6
Instructors at drill - - -	–	–	–	–	1	1	–	1
Recruits not yet fit for duty (under three months) - - - - -	–	–	–	–	–	–	–	26
Acting drummers - - -	–	–	–	–	–	–	–	4
Sick in hospital - - - -	–	–	–	–	–	–	–	13
Musicians - - - - - -	–	–	–	–	1	–	–	14
Prisoners in gaol or provost - -	–	–	–	–	–	–	–	1
Detached from Head Quarters:								
† At Cottonera - - - -	–	1	1	–	2	1	–	78
‡ East coast of Malta - - -	–	–	1	–	2	–	–	16
§ West ditto - ditto - - -	–	1	–	–	–	3	–	30
‖ Goza and Comino - - -	–	–	1	1	1	1	–	43
St. Antonio - - - - -	–	–	–	–	–	1	–	2
Total Establishment of the Corps - - - -	1	6	12	5	30	24	11	444

Appendix, No. 2.

Duty State of the Royal Malta Fencible Regiment—*continued.*

DISTRIBUTION OF DUTIES.	Serjeants.	Corporals.	Drummers.	Privates.
* In Valletta:				
Castellania guard	1	1	- -	9
Market guard	- -	1	- -	3
Strada Fontana guard	- -	1	- -	6
Floriana Garden and Left-flank Marina	- -	1	- -	2
Barcelonetta guard	- -	1	- -	3
Night patrols in the country	- -	1	- -	4
Barrack guard	1	1	- -	6
Escort over convicts	- -	4	- -	23
Total	2	11	- -	56
† In the Cottonera:				
Bueiba guard, Senglea	- -	1	- -	3
Senglea bastion guard	- -	1	- -	6
Senglea marina guard	- -	1	- -	3
Burmola market guard	- -	1	- -	3
Escort over convicts	- -	1	- -	14
Night patrols with the police	- -	- -	- -	8
Total	- -	5	- -	37

	Captains.	Subalterns.	Staff.	Serjeants.	Corporals.	Privates.
‡ On East Coast of Malta:						
Tower H, Marsascirocco Bay	–	1	–	1	- -	10
Ditto D, St. Tommaso Bay. (A subaltern recently there when plague at Tripoli)	–	–	–	1	- -	6
Total	–	1	–	2	- -	16
§ On West Coast of Malta:						
Tower Z, St. Julian Bay	–	–	–	–	1	3
Ditto Y, St. George's Bay	–	–	–	–	–	4
Ditto X, Madalena	–	–	–	–	–	4
Ditto T, St. Paul's Bay	1	–	–	–	1	9
Ditto S, Hain Hadit	–	–	–	–	–	2
Battery 19, Vandomo Metteha Bay	–	–	–	–	–	–
Tower R, Rossa. (A subaltern recently there when plague at Tripoli)	–	–	–	–	1	3
Battery Marfa	–	–	–	–	–	1
Yower V, Hallis	–	–	–	–	–	4
Total	1	–	–	–	3	30

N. B.—A subaltern for the week from Valletta to visit St. Julian's division.

‖ At Gozo and Comino:						
Fort Chambray	–	–	–	–	–	1
Battery No. 5, Ras il Cala	–	–	–	–	–	2
Ditto, No. 4, Ramla	–	–	–	–	–	4
Ditto, No. 1	–	–	–	–	–	5
Port Imgiar Isscini	–	–	–	–	–	2
Tower G, Dueira	–	–	–	–	1	3
Ditto B, Selendi	–	–	–	–	–	2
Rabbato Castle	–	1	1	1	–	23
Comino	–	–	–	–	–	1
Total	–	1	1	1	1	43

Remarks.—

Report on the Police of Malta.

Appendix, No. 2.

REMARKS.

Duties in Valletta.—Six guards, chiefly to assist the police. A night patrol on the San Guiseppe road and Pieta. Escort duty over convicts; one-third of this party is escort over the convicts at the Conadino Works; they leave barracks at sunrise, and return at sunset; the remainder of the escort is for the cleaning of the streets of Valletta, Floriana, &c.

Duties in the Cottonera.—Four guards, chiefly to assist the police. Night patrols with the police. Escort over convicts employed in the dock-yard and canacca. Cleaning the streets of the Cottonera. The duties of the Cottonera detachment are very severe.

Duties on the East Coast.—A sentry on the top of each tower, and to detach parties to form guards at any point necessary when vessels anchor in the bays on the coast, and a moving sentry along the extension of coast.

Duties on the West Coast.—A sentry on the top of each tower, and to detach parties to any points necessary when vessels anchor at any of the bays, and a moving sentry along the extension of coast.

Duties at Gozo and Comino.—A sentry at each post on the coast. A guard over the civil prison at Rabbato. Escort over convicts at public works, and to escort civil prisoners to Malta.

Parties at St. Antonio.—To take care of the palace, and ready for the call of the Luogotenente of Casal Attard, when required.

EXTRAORDINARY DUTIES FURNISHED AT HEAD-QUARTERS, VALLETTA.

	Captains.	Subalterns.	Serjeants.	Corporals.	Drummers.	Privates.
Picquet at theatre three times a-week, nine months in the year	- -	- -	1	1	- -	12
Masquerade ball in Valletta during winter	- -	- -	1	1	- -	12
Ditto - - ditto - - ditto	- -	- -	1	1	- -	9
Picquet, three days of Carnival	- -	1	2	4	1	36
Detachment at Casal Leitun for St. Gregorio	- -	1	2	2	1	28
Picquet, Ascension Day, at Calcara	- -	- -	1	- -	- -	9
Detachment, Cittavecchia, St. Peter and Paul's Day	1	2	2	4	4	60
Ditto, horse-races, Pietà, St. Rocco	- -	1	2	4	1	60
Picquet, the Festa of Melleha	- -	- -	1	1	- -	12
Ditto, St. Lawrence's Day, at Calcara	- -	- -	- -	1	- -	6
Ditto, fire-works, at Vittoriosa	- -	- -	1	1	- -	22
Ditto, St. Salvador's day at Calcara	- -	- -	- -	1	- -	6
Ditto, fire-works at Senglea	- -	- -	1	1	- -	9
Ditto, at Cospicua	- -	- -	1	1	- -	9
All sittings of the Jury Court	- -	- -	1	1	- -	15
Executions of death at Floriana	1	2	3	4	1	70
Occasional reinforcements at the Criminal Court	- -	- -	1	1	- -	12
Inlying picquet, always ready in barracks for call of police	—	—	—	—	—	—
Reinforcements occasionally demanded on the coast	—	—	—	—	—	—
Parties occasionally placed in quarantine on plague vessels, &c.	—	—	—	—	—	—

The following Towers and Batteries were occupied by Detachments from the Regiments, but are now discontinued, in consequence of the severity of the regimental duties:

EAST COAST, MALTA.

Each coast having a corporal and two privates.

- Tower M, West Lurrico (very recently occupied when plague in Tripoli.)
- Ditto A, Grazia.
- Ditto C, Loncor.
- No. 1 Battery Marsascala.
- Tower E, Shrop il Hagin.
- No. 4 Battery, Dellimara.
- No. 5 ditto Wilgia.
- No. 8 ditto Xira.
- No. 10 ditto Benheisa.

WEST COAST, MALTA.

Each post having a corporal and two privates.

- No. 31 Battery, Ghemmuna.
- No. 27 ditto Caletmarco.
- Tower U, Kanra.
- No. 24 Battery, Bugibba.
- No. 20 ditto Mistra.
- Tower Q, Bianca.
- Ditto O, Hain Tuffiha. } Very recently occupied when plague at Tripoli.
- Ditto P, Gereina. }
- Watch-house, Fom Irrih. }

(signed) *Mls. De Piro,*
Major Commanding Royal Malta Fencible Regt

Appendix, No. 3.

RETURN of the Sums paid into the Military Chest in appropriation of the Surplus Revenue of the Years 1828 to 1836 respectively; and in aid of the Expense for the Military Defence of the Colony.

	£.	s.	d.
1828	10,499	10	4½
1829	10,616	9	4¾
1830	14,159	18	10
1831	15,295	6	3
1832	10,000	–	–
1833	11,000	–	–
1834	11,000	–	–
1835	11,000	–	–
1836	5,000	–	–
	£. 98,571	4	10¼

Previously to the year 1828, payments were not made into the Military Chest on the above account, but the pay and contingencies of the Staff and extra Staff of the Garrison, and of the Malta Fencible Regiments, were defrayed direct from the local treasury, and amounted, in the years 1826 and 1827 respectively as follows; viz.

	£.	s.	d.
1826	16,286	6	–¾
1827	16,915	3	11¼
	£. 33,201	10	–

Chief Secretary's Office,
Valletta, 20 April 1837.

(signed) *Fred. Hankey,*
Chief Secretary to Government.

A STATEMENT of the Monies paid into the Military Chest out of the Surplus Civil Revenues of Malta, (accrued from the 1st January 1828 to the 31st December 1836,) in aid of the Expense incurred by *Great Britain* for the Maintenance of the Royal Malta Fencible Regiment.

Paid out of the surplus revenue of

	£.	s.	d.
1828	10,499	10	4½
1829	10,616	9	4¾
1830	14,159	18	10
1831	15,295	6	3
1832	10,000	–	–
1833	11,000	–	–
1834	11,000	–	–
1835	11,000	–	–
1836	5,000	–	–
TOTAL for the 9 Years	£. 98,571	4	10¼

Average per annum: £. 10,952 7 2¼

Note.—For the year 1828, the exact estimated expense of the regiment was paid over. For the three following years, in pursuance of a despatch from Sir George Murray, dated 25th February 1829, the entire surplus revenue was transferred to the Military Chest in aid of the charge for the military defence of the colony. From the 1st January 1832 to the 31st December 1835, the payments out of the surplus have been limited to the estimated expense of the Maltese regiment. Judging from these payments, which are in round sums, the annual expense of the regiment may be taken at about 10,750 *l.* A diminished surplus in 1836 reduced the payment for that year to 5,000 *l.*, a deficiency more than compensated by the larger payments made for 1830 and 1831, inasmuch as the average for the nine years exceeds the estimated expense of 10,750 *l.*

(signed) *W. H. Thornton,*
Auditor-general.

Valletta, 30 Dec. 1837.

Appendix, No. 4.

Appendix, No. 4.

GOVERNMENT NOTICE.

WHEREAS Antonia Asciak, of Valletta, was, on the morning of the 1st of December 1836, found killed in her own habitation, in which she lived alone, a mezzanino, in Strada-stretta, No. 94, having her throat cut; and whereas Giuseppe Sultana, of casal Gudia, was, on the morning of the 1st of August last, found killed in an enclosure of land in the neighbourhood of that casal, having several wounds on his body; and whereas Carmelo Psaila, of casal Curmi, was, on the morning of the 8th of October last, found killed in a small ricetto between casal Luca and casal Curmi, having several wounds on his body; and whereas, in the night between the 18th and 19th of October last, five persons entered the habitation of Francesco Gristi, within the limits of casal Zabbar, and inflicted several wounds on him the said Francesco Gristi, who since died of such wounds; and whereas, in the night between the 11th and 12th of November instant, Benedetto Asciak was assaulted in the road between casal Luca and casal Chircop by three persons, who tied a rope round his neck, and after using towards him other violence and threats, inflicted on his body five wounds; and whereas none of the persons guilty of the said crimes have as yet been discovered; His Excellency the Governor, for the better discovering, apprehending, and bringing to justice such persons, is hereby pleased to promise Her Majesty's most gracious pardon to any person or persons who may have been concerned in any of the said crimes (except the actual perpetrator or perpetrators thereof,) and who shall discover his or her accomplice or accomplices therein, so that he, she, or they may be apprehended and convicted thereof.

And as a further encouragement, a reward of 100*l.* is hereby offered to any person (except as aforesaid,) who shall discover any one or more of the said offenders: which said reward of 100*l.* will be paid from the Government Treasury, on the conviction of the offender or offenders in each and every case.

By command of His Excellency,
H. Greig,
Chief Secretary to Government.

Palace, Valletta,
15 November 1837.

GOVERNMENT NOTICE.

WHEREAS Felice Ciangura, of casal Dingli, in this island, charged with having, on the 5th of February last, thrown his wife, Rosa, into a well in the vicinity of l' Imtahlep, has absconded; His Excellency the Governor is pleased hereby to offer a reward of 50*l.* to any person or persons who shall come forward and give such information to the police as may lead to the discovery and apprehension of the said Felice Ciangura; which reward of 50*l.* will be paid from the Government Treasury on the arrest of the said Felice Ciangura.

By command of His Excellency,
H. Greig,
Chief Secretary to Government.

Palace, Valletta,
15 November 1837.

Appendix, No. 5.

Appendix, No. 5.

EXTRACT from DESPATCH of Lord *Glenelg* to Sir *H. Bouverie*, of 30 July 1837; No. 125.

I FURTHER agree with the Commissioners in condemning the present arrangement by which an annual surplus of revenue is created and paid over, however large or however small its amount, as an indemnity to the British Treasury for undertaking the expense of the Malta Fencibles. It seems indeed to have been considered by the authors of this scheme, that the inhabitants would always be gainers by this adjustment of accounts, because the surplus of local revenue would always be inadequate to the charges incident to the support of the garrison. But it is answered on behalf of the Maltese, that the garrison is not maintained exclusively for their protection against foreign enemies or internal commotion, but chiefly in order to secure and extend the influence of Great Britain in the Mediterranean; that this system gives to the British Government a direct interest in increasing the burdens of the inhabitants, and in withholding every public expenditure of which their convenience or advantage is the chief object; and that the frugality exercised by Her Majesty's Government in the administration of the finances of the colony is dictated by the wish to augment a surplus applicable to the relief of the people of this country. In order to remove all pretext for such imputations, I concur with the Commissioners in desiring that the financial relations between Great Britain and Malta should be placed on some definite and intelligible basis; and this is one of the results which I confidently anticipate from their labours.

ADDITIONAL REPORT ON THE POLICE OF MALTA.

Additional Report on the Police of Malta.

(Extracts.)

My Lord, Malta, 2 April 1838.

In our Report on the Police of Malta, dated the 10th of January last, we recommended that the regiment of Malta Fencibles should be dissolved; that a part of it should be incorporated with the civil police; and that another part of it should be formed into a coast-guard, and placed under the authority of the superintendent of quarantine and marine police. We further recommended, that the two market departments of Malta and Gozo should be abolished; and that the duties now performed by the magistrates of the markets and their subordinates should in future be performed by the ordinary police. We stated that the entire expense of the police of Malta (including the department of executive police, the lord-lieutenants and deputy-lieutenants, the Fencible regiment, and the market departments,) was about 16,700*l.* a year; and we added, that, in case your Lordship should approve of the principle of our recommendations, we should submit to your Lordship a detailed plan for carrying them into effect, by which the efficiency of the police would be considerably increased, and an ultimate saving of nearly a third of the actual expense would be produced.

In a despatch to Sir Henry Bouverie, dated the 11th of February 1838 (No. 203), your Lordship says, that the statements made by us in the abovementioned Report, concerning the present composition and cost of the military and civil force employed in the police of Malta, demonstrate the necessity for a searching reform in that department. Your Lordship adds, however, that the entire suppression of the existing establishments cannot be pronounced desirable, unless the arrangements to be substituted should, on close inquiry, present a definite prospect of greater economy and efficiency. Your Lordship accordingly directs us to prepare and transmit our scheme, with all the proofs and calculations necessary to a complete consideration of it.

We have prepared a detailed scheme of the establishments which we propose for the police and coast-guard of Malta and Gozo, and we annex it to the present Report. We also annex to the present Report an elaborate statement of the actual expenses of the police during the three years 1835, 1836 and 1837, which has been drawn up, at our request, by Mr. Thornton, the Auditor-general.

From a comparison of the cost of the existing establishments, and the cost of the establishments detailed in our scheme, it results, that the adoption of our scheme would produce an ultimate yearly saving of not less than 7,079*l.* to the revenue and people of Malta. The immediate saving would fall short of this amount, on account of the pensions which would be granted to the reduced officers.

* * * * * *

Although the police force which we propose in our scheme would be less costly, it would be far more efficient than the existing one. The number of policemen would be nearly doubled, and the pay of the policemen employed in the country would be increased. The numbers of the coast-guard would also be amply sufficient; and it would be placed directly under the superintendent of the quarantine and marine police, the department of the government to which it properly belongs.

By the changes proposed in our scheme, the offices of the lord-lieutenants and deputy-lieutenants would be abolished.

Additional Report on the Police of Malta.

Of the six lord-lieutenants, two (viz., the lord-lieutenant for the Valletta district, and the lord-lieutenant for the Gozo district,) perform no official duty substantial or formal. Each of the other four sits once a month in the court of monthly session belonging to his district, with a magistrate of judicial police; but he takes no part in the substantial business of the court. The only change, therefore, in the law, which the abolition of the office of lord-lieutenant would necessitate, would be an enactment that the court of monthly session should consist of a magistrate of judicial police, without a lord-lieutenant.

The principal duties of the deputy-lieutenants (which are defined in the instructions to the deputy lieutenants, dated 1st September 1819, Parts II. and III.,) would, according to our scheme, be performed by the deputy-adjutants and serjeants of police.

In addition to these duties, however, the deputy-lieutenants have a jurisdiction in civil causes wherein the value in litigation does not exceed 25 scudi (equal to 2 *l.* 1 *s.* 8 *d.*); and the courts of monthly session have an original jurisdiction in civil causes wherein the value in litigation exceeds 25 scudi, and does not exceed 50 scudi (equal to 4 *l.* 3 *s.* 4 *d.*). An appeal lies from the court of the deputy-lieutenant to the court of monthly session; and an appeal lies from the court of monthly session, as a court of original jurisdiction, to the second hall of the civil court.

In general, the deputy-lieutenants are not lawyers, and are not qualified to act in a judicial capacity. Moreover, there is no sufficient reason for the line of demarcation between the original jurisdiction of the courts of monthly session and the jurisdiction of the courts of the deputy-lieutenants; inasmuch as there is no substantial difference, for judicial purposes, between sums varying from one scudo to 25 scudi, and sums varying from 25 scudi to 50 scudi.

We therefore recommend, that the original civil jurisdiction of the courts of monthly session shall be extended to every cause in which the value in litigation does not exceed 50 scudi; subject, however, to the provisions (prescribed by the instructions for the courts of monthly session of the 15th September 1819), that the cause do not involve any question relating to land, and that the defendant be resident in the district over which the court has jurisdiction. We further recommend, that the appeal from the court of monthly session to the second hall of the civil court, in any cause wherein the value in litigation exceeds 25 scudi, shall be abolished; and that an appeal shall lie from any decision of a magistrate of judicial police, sitting in a court of monthly session, to another magistrate of judicial police, sitting in a similar court. The details which would be requisite for carrying our recommendations respecting the courts of monthly session into effect, could be more conveniently determined by orders of the local government, than by recommendations in the present Report.

* * * * * * * * *

We have, &c.
John Austin.
G. C. Lewis.

To the Lord Glenelg,
&c. &c. &c.

PROPOSED ESTABLISHMENT of the Police and Coast-Guard, for the Islands of Malta and Gozo, referred to in the preceding Report.

FIXED ESTABLISHMENT.

SITUATIONS.	Yearly Salaries.	
I. *Police Office.*	£.	
Inspector	450	
— for Gozo	320	
First clerk	150	
Second clerk	100	
Third clerk	70	
Clerk for Gozo	50	
Two messengers, at 30 *l.*	60	
Physician	200	- The physician now receives 144 *l.* from the police and 60 *l.* from the quarantine. The latter portion will cease.
Clerk to first adjutant	40	
— physician	40	
Clerk of market, Valletta	100	
— Senglea	80	
Great Prison: Gaoler	100	- With apartments in the respective prisons.
Great Prison: Under-gaoler	60	
Great Prison: Clerk	50	
Castellania: Gaoler	60	
Castellania: Porter	30	
Gaoler, Debtor's prison	40	
— Senglea	40	
— Gozo	30	
	2,070	
II. *Police Force.*		
Adjutant for Valletta	150	
— for the three cities	130	
Adjutants for the country:		
Two, at 80 *l.*	160	
Three, at 70 *l.*	210	
Adjutant for Gozo	60	
15 serjeants-major, at 45 *l.*	675	
25 serjeants, at 36 *l.*	900	- To be clothed, and furnished with arms.
4 serjeants for Gozo, at 36 *l.*	144	
165 constables, at 20 *l.*	3,300	- If 181 constables should on trial be found insufficient for the due protection of property in the country, their number may be somewhat augmented hereafter, especially when some of the pensions necessitated by the change of system shall have ceased.
16 constables for Gozo, at 20 *l.*	320	
	6,049	
III. *Coast-Guard.* (*a*)		
Two adjutants (or subaltern officers), at 70 *l.*	140	
12 serjeants, at 30 *l.*	360	- - To be furnished with bedding, clothing, arms, and accoutrements; but to supply themselves with food.
60 privates, at 20 *l.*	1,200	
	1,700	

(*a*) If it should be convenient that the coast-guard should be organized as a coast-guard company, it may be thrown into that form without any increase of expense or additional officers.—For the stations of the coast-guard, see in a subjoined note.

SUMMARY.

I. Police-Office	£. 2,070
II. Police Force	6,049
III. Coast-Guard	1,700
TOTAL fixed establishment	£. 9,819

Additional Report on the Police of Malta.

Estimated Contingent Charges.

DESCRIPTION.	Annual Amount.
1. The undermentioned officers to be allowed to charge quarterly in arrear, without voucher or detail, sums not exceeding the following annual rates, for horse or calesse hire:	
Inspector - - - - - - - - - - £. 30	£.
Inspector for Gozo - - - - - - - - - 20	
Adjutant for Valletta - - - - - - - - - 15	95
Adjutant for Gozo - - - - - - - - - 10	
The two coast adjutants, 10 *l.* each - - - - - - 20	
2. The inspector of police to be allowed to contract for boat hire, on account of the police service, to or from any part of either island, not exceeding -	40
3. Incidental charges of executive proceedings (to include casual hire of horse, calesse, or boat), and minor charges of the inspector's office -	250
4. Repair of police buildings and prisons, and rent of some of the police stations - - - - - - - - - - - - - -	150
5. Ecclesiastical attendance on the prisons, and at outposts of the coast-guard - - - - - - - - - - - - - -	50
6. Clothing the police force, 225 individuals, at 2 *l.* each, one with another; and supplying them with arms, at 5 *s.* each, one year with another -	506
7. Clothing the coast-guard, 72 individuals, at 2 *l.* each, one with another; and supplying them with bedding, furniture, arms, and accoutrements, at 1 *l.* each, one year with another - - - - - - - - -	216
8. Oil for guard stations - - - - - - - - - -	50
	1,357
Total annual expense of the present civil and military police for Malta and Gozo, upon the average of the three years 1835–6–7, as specified in the accompanying abstract - - - - - - - - - - -	18,255
Total estimated annual expense of the proposed police and coast-guard, namely,	
Fixed establishment - - - - - - - - £. 9,819	11,176
Contingent charges - - - - - - - - 1,357	
Estimated annual Saving by the proposed arrangement - - - £.	7,079

Stations of the Proposed Coast-Guard.

No.	MALTA.	Serjeants.	Privates.
1.	Tower St. Julian - - - - - - - -	—	3
2.	— St. George - - - - - - - -	1	3
3.	— Magdalen - - - - - - - -	1	3
4.	— Hallis - - - - - - - - -	—	3
5.	— at St. Paul's Bay - - - - - - -	1	4
6.	— Mistra - - - - - - - - -	—	3
7.	— Hain Hadit - - - - - - - -	1	3
8.	— Rossa - - - - - - - - -	1	3
9.	— Marfa - - - - - - - - -	—	3
10.	— St. Thomas - - - - - - - -	1	3
11.	— St. Lucian - - - - - - - -	1	3
	Gozo - - - - - - - - -	2	—
12.	— Marsalforno - - - - - - - -	—	3
13.	— Ras il Kala - - - - - - - -	—	3
14.	— Imgiar Iscini - - - - - - - -	—	3
15.	— Scilendi - - - - - - - - -	—	3
	Total - - -	9	46

In case of the plague prevailing in Barbary or other neighbouring country, the number of stations on the coast may (if necessary) be temporarily increased.

AN ABSTRACT of the Expense of the POLICE ESTABLISHMENT in the Islands of *Malta* and *Gozo*, for the Years 1835, 1836 and 1837.

	1835.			1836.			1837.			
Fixed Establishment, Malta:	£.	s.	d.	£.	s.	d.	£.	s.	d.	
Lord-lieutenants and their deputies	1,338	–	–	1,338	–	–	1,338	–	–	
Executive Police	2,710	12	8½	2,709	10	–	2,707	2	4½	
Prisons	485	11	–	475	17	6	477	16	5	
Markets	563	8	–	563	8	–	563	8	–	
Fixed Establishment, Gozo:										
Lieutenant-governor and his Secretary	334	6	–	334	6	–	334	6	–	
Syndics of Casals	48	–	–	48	–	–	48	–	–	
Executive Police	296	–	–	296	–	–	296	–	–	
Prison	20	12	–	20	12	–	20	12	–	
Market	125	7	–	125	7	–	121	9	5	
Fixed Contingencies, Malta:										
Ordinary charges of executive proceedings	54	13	11¾	68	6	9½	115	–	9	
Charged by the police magistrate for horse or calesse hire.	30	–	–	30	–	–	12	–	–	
Allowance to the first adjutant for horse hire	15	–	–	15	–	–	15	–	–	
Boat hire for police officers	27	10	–	27	10	–	27	10	–	
Minor charges of the office	5	–	–	5	–	–	5	–	–	
Affixing proclamations and public notices	2	13	4	1	15	–	9	6	8	
Oil for the prison lamps	32	–	–	33	12	11¾	17	11	11¼	
Mounted orderlies, and other expenses connected with the fencible regiment.	55	7	6	51	12	6¼	53	14	7¼	
Ecclesiastical attendance in the prisons	15	–	–	15	–	–	15	–	–	
Allowance to the magistrate and overseers of the markets for calesse and boat hire, and for minor charges.	60	–	–	60	–	–	60	–	–	
Repairing market weights and measures	2	10	–	2	10	–	2	10	–	
Fixed Contingencies, Gozo:										
Calesse allowance to the Lieutenant-governor	83	7	–	83	7	–	83	7	–	
Conveyance of letters	16	13	–	16	13	–	16	13	–	
Allowance to the adjutant for horse hire	15	–	–	15	–	–	15	–	–	
Unfixed Contingencies, Malta:										
Extra salaries and remuneration	279	–	9½	278	2	8½	293	19	8¼	- - Besides, in 1837, the charge for the extra police force in consequence of the cholera.
Incidental expenses of executive proceedings	52	8	1¼	30	14	10	79	8	5¼	
Rent of, and expense of oil for, watch-houses	36	16	6	43	3	8½	47	7	11½	
Clothing the police force	147	–	–	137	13	6	148	4	10	
Secret service	40	–	–	70	–	–	—			
Supplying vacancies in horses for the mounted orderlies.	–	–	–	16	13	4	10	8	4	
Unfixed Contingencies, Gozo:										
Extra remuneration	4	8	–	4	8	–	4	8	–	- - Besides, in 1837, the charge for the extra police force in consequence of the cholera.
Ecclesiastical attendance in the prison	7	10	4	7	15	10	7	15	10	
Incidental expenses of the prison	12	5	10	6	11	11¼	2	17	9¼	
Clothing the police force	26	10	4	24	14	6	26	16	4	
Incidental charges of the market	–	17	10¼	–	8	7¼	–	7	9¼	
TOTAL direct Charge £.	6,943	9	3¼	6,956	14	9	6,976	3	1¼	
Indirect Charges:										
Abatement from the rent of Government houses occupied by officers on the fixed establishment.	70	5	6¾	70	5	6¾	70	5	6¾	- - Not including the apartments in the prisons occupied by the gaolers.
Annual value of gardens assigned to deputy-lieutenants of casals.	80	–	–	80	–	–	80	–	–	
Works and repairs in police buildings and prisons, by the department of Government works.	307	3	9	66	10	4¾	66	15	1	
Estimated annual demand of the military chest, for maintenance of the Maltese regiment.	11,000	–	–	11,000	–	–	11,000	–	–	
	18,400	18	7	18,173	10	8½	18,193	3	9	

Annual Average £. 18,255 17 8.

Wm. H. Thornton, Auditor-General.

Additional Report on the Police of Malta.

EXTRACT of a DESPATCH from Lord *Glenelg* to Lieut.-General Sir *H. F. Bouverie,* K. C. B.; dated Downing-street, 5 Feb. 1839.

(No. 349.)

I HAVE had under my consideration the Reports of Her Majesty's Commissioners of Inquiry, dated the 10th of January, and 2d of April 1838, on the subject of the Police Force of Malta, together with your Despatches, No. 6, of the 8th of January ; No. 48, of the 4th of April 1838; and No. 9, of the 9th ultimo, relating to the regiment of Maltese Fencibles.

I have now to acquaint you, that Her Majesty's Government have determined on carrying into effect the suggestions of Her Majesty's Commissioners for remodelling the Police Force, and for establishing a Coast Guard; but that, in deference to the high testimony which you have borne to the efficiency and trustworthiness of the Fencible regiment, it has not been deemed expedient to adopt the recommendation of Her Majesty's Commissioners in regard to the disbandment of that corps.

You will therefore proceed at once to re-organize the police establishment, and to form a coast guard, in conformity with the views of the Commissioners. The Fencible regiment will then perform only military duty, as part of the garrison of Malta.

REPORT ON THE MALTESE APPELLATE COURTS.

My Lord, Malta, 8 April 1838.

Report on Maltese Appellate Courts.

BY your Lordship's instructions to us, of the 16th of September 1836, we were directed to examine, as extensively and accurately as our time should allow, the state of the law in Malta and its dependencies, with the state of the courts and their procedure; and to submit in our Report, for the consideration of Her Majesty's Government, all such probable remedies for the imperfections of the law, and of the judicial establishments and procedure, as our inquiry might happen to suggest, and as we might, on mature reflection, see reason to approve.

In obedience to this instruction, we have given much attention, since our arrival in Malta, to the constitution, jurisdiction, and procedure of the Maltese courts; and we now submit to your Lordship the results of our inquiry into an important branch of this extensive subject, together with certain recommendations founded upon them.

Outline of the history of the Maltese judicature and procedure.

The system of judicature and judicial procedure, which obtained in Malta under the government of the Order of St. John of Jerusalem, was retained, in substance, by the British government, until the year 1814; when important reforms were made in it by Sir Thomas Maitland, who had recently been appointed to the government of the island. These reforms, however, were indicated by general descriptions, rather than defined in precise enactments; and a discretionary power of executing them in detail, agreeably to his intentions, was accordingly given to the judges. But these judges were natives of Malta; and the system of judicature and procedure, which Sir Thomas Maitland sought to establish, was, therefore, nearly new to them. Accordingly, his reforms were executed crudely and imperfectly; and were therefore followed by much confusion and uncertainty in the practice of the Maltese courts. Many attempts have since been made by the government to remedy these mischiefs by direct legislation. But the numerous proclamations which, from time to time, have been issued for this purpose, were intended to cure or palliate partial and pressing evils. Accordingly, they were issued with little regard to system and coherency; and they therefore have aggravated, rather than diminished, the mischiefs which it was their purpose to remedy.

The commissioners appointed by his late Majesty to prepare codes for Malta, have produced the project of a code of criminal judicature and procedure; but have not produced or prepared a plan for reforming the constitution, jurisdiction, or procedure of the civil courts.

Having

Report on Maltese Appellate Courts.

Having given a brief outline of the history and actual state of the Maltese judicature and procedure, we advert to the proper subject of the present Report; namely, the expediency of an immediate reform in the constitution and jurisdiction of the Maltese appellate courts.

Expediency of an immediate reform in the constitution and jurisdiction of the Maltese appellate courts.

The actual system of appeals is intricate and ill-defined; and it accordingly engenders vexations which press most heavily upon the suitors, and are urgently and justly complained of by the inhabitants of the island. The establishment, moreover, of the appellate courts is unnecessarily expensive.

A reform of the entire system of Maltese judicature and procedure is imperiously called for; and a reform in the constitution and jurisdiction of the appellate courts would certainly be more systematic, and might, in some respects, be somewhat more convenient, if it were accomplished as a part of the general reform, instead of being accomplished immediately and separately. But the completion of the general reform will require a considerable time; and since the evils of the system of appeals are far greater than those of any other part of the system of judicature and procedure, it is desirable that a reform of the system of appeals should not be postponed till the completion of the general reform, but should be carried into immediate effect. Nor would an immediate reform of the system of appeals be necessarily productive of any inconveniences materially detracting from its great advantages. It will, we think, appear from the present Report, that a separate reform of the appellate courts would not impede the proceedings of the courts of original jurisdiction. A change in the constitution and jurisdiction of the former, might, therefore, be carried conveniently into immediate effect, without a simultaneous alteration in the constitution and jurisdiction of the latter. It may be added, that we can explain the constitution and jurisdiction of the appellate courts, and show the expediency of immediately reforming them, without explaining in detail the rest of the system of judicature.

Description of the constitution and jurisdiction of the Maltese appellate courts, and statement of certain inconveniences which their constitution and jurisdiction produce.

In reporting on the expediency of an immediate reform in the Maltese appellate courts, we will first describe their constitution and jurisdiction.

The only Maltese courts of purely appellate jurisdiction*, are the Supreme Council of Justice, and the Court of Appeal (strictly so called); but, as we shall show immediately, the Supreme Council of Justice has an ordinary and an extraordinary jurisdiction.

Appeals lie to the Supreme Council, as an ordinary appellate court, from the following Maltese courts of civil jurisdiction; namely, the Civil Court, the Commercial Court, and the Bankruptcy Court. Appeals lie to the Court of Appeal from the following Maltese courts of civil jurisdiction; namely, the Civil Court, the Commercial Court, and the Court of the Magistrates in Gozo. Appeals lie to the Supreme Council, as an extraordinary appellate court, from the Court of Appeal, and from every other Maltese court of civil jurisdiction.

The Supreme Council of Justice, which was established by the proclamation of the 26th of May 1814 (No. XVI.), consists of the Governor as president, and four members. The four members (two of whom, agreeably to that proclamation, must be Maltese) are the Chief Justice, the Chief Secretary, and the two senior Maltese judges†. In the absence of the Governor, the senior member present at the sitting acts as vice-president; and the president or vice-president, with two members, constitute a quorum.

The Court of Appeal consists of the Chief Justice and the two senior Maltese judges; being the three persons, who, with the Governor and the Chief Secretary, form the Supreme Council. The Chief Justice with either of the two judges, or the two judges without the Chief Justice, constitute a quorum.

The Supreme Council sits in two capacities: first, as an ordinary appellate court; secondly, as an extraordinary appellate court for reviewing decisions from which appeals are granted by the Governor specially and *ex gratiâ*.

The

* We use the expression "Maltese courts of *purely* appellate jurisdiction," because some of the Maltese courts of first instance (or of original jurisdiction) have also a limited appellate jurisdiction. It is not necessary, for the purposes of the Report, that this limited appellate jurisdiction should be stated formally.

† Of the persons sitting in judicial capacities in the Maltese courts, six only are styled judges. These six judges are Maltese; and they sit, with the Chief Justice, in the Maltese courts of original and appellate jurisdiction, which are styled or deemed superior courts.

Report on Maltese Appellate Courts.

The Court of Appeal has no extraordinary jurisdiction.

The jurisdiction of the Supreme Council as an ordinary appellate court, and the jurisdiction of the Court of Appeal, may be described as follows:

An appeal lies directly to the Supreme Council from any decision of the Civil Court wherein the value in litigation exceeds 2,000 scudi *; from any decision of the Commercial Court wherein the value in litigation exceeds 12,000 scudi; from any decision of the Bankruptcy Court; and from any decision of the Civil or Commercial Court wherein a right or interest of the Crown is concerned. From any decision of the Commercial Court wherein the value in litigation exceeds 2,000 scudi, but does not exceed 12,000 scudi, an appeal lies directly either to the Supreme Council or to the Court of Appeal, at the option of the appellant.

An appeal lies directly to the Court of Appeal, from any decision of the Civil or Commercial Court wherein the value in litigation exceeds 100 scudi, and does not exceed 2,000 scudi; and from any decision of the Court of the Magistrates in Gozo wherein the value in litigation exceeds 500 scudi, but does not exceed 2,500 scudi†.

The Supreme Council, as an extraordinary appellate court, may review any decision of any civil court, from which no appeal lies according to the ordinary procedure. Accordingly, it may review any decision of the Court of Appeal, as well as any decision of any other civil court, which, according to the ordinary procedure, is not appellable.

But the Supreme Council, as an extraordinary appellate court, has no power of reviewing a decision, unless an appeal from the decision to the Supreme Council be granted by the Governor specially and *ex gratia*. The party wishing to appeal applies by petition to the Governor for an authority to do so. The petition is referred to the Attorney-general; and the Governor is determined by the report of the Attorney-general and Queen's Counsel upon it, to grant or refuse the application.

We should infer, from the terms of the proclamation by which the court was established, that the Supreme Council, as an extraordinary appellate court, is a court of equity (in the popular acceptation of the expression); or, in other words, that it is a court reversing or reforming decisions of inferior courts, not according to laws (or rules of law), but according to the notions of equity (or public utility), entertained by the judges composing it. This, however, is not the construction which has been put upon the proclamation; and in reviewing decisions of inferior courts, the Supreme Council, as an extraordinary appellate court, is guided, or professes to be guided, by the laws of the island.

We may add to the preceding description of the constitution and jurisdiction of the Maltese appellate courts, that an appeal lies to the Queen in Council, from any decision of the Supreme Council of Justice wherein the value in litigation exceeds 1,000 *l.*

Having described the constitution and jurisdiction of the Maltese appellate courts, we will state some of the inconveniences which their constitution and jurisdiction produce.

1. The complexity of the system of appeals (a complexity appearing sufficiently from the preceding description) raises a violent presumption that the system is unsound. This general presumption cannot be rebutted, unless it can be shown specially that the complexity is necessary; and from the detailed examination of the system, which immediately follows, it will appear that the complexity, instead of being necessary, is purely absurd and pernicious.

2. The line of demarcation which divides the jurisdiction of the Supreme Council, as an ordinary appellate court, from the jurisdiction of the Court of Appeal, is determined by the value in litigation. From a decision of the Civil or Commercial Court wherein the value in litigation is deemed comparatively large, an appeal lies directly to the Supreme Council. From a similar decision wherein

* The Maltese scudo is equivalent to 1 *s.* 8 *d.* English, or to two French francs nearly.

† The jurisdiction of the Court of the Magistrates in Gozo is limited to causes wherein the value in litigation does not exceed 2,500 scudi.

wherein the value in litigation is deemed comparatively small, an appeal lies directly to the Court of Appeal. Report on Maltese Appellate Courts.

Now this division of courts and jurisdictions is either arbitrary and capricious, or is founded on the following suppositions: first, that the decision which involves the larger value requires a more skilful review than the decision which involves the smaller value; secondly, that the Supreme Council, as the better constituted court, is more likely than the Court of Appeal to review the former decision with the requisite ability.

The first supposition is manifestly false; inasmuch as the decision which involves the smaller value is not less likely than the decision which involves the larger value to present difficult questions of law or fact. It may, indeed, be said, that, on account of the greater magnitude of the interests which are at stake in the latter case, misdecision in the latter case would probably be more mischievous than misdecision in the former. But generally, or not unfrequently, the interests at stake in the former case are not less important in substance than the interests at stake in the latter; since in most or many of the cases which are respectively carried to the two appellate courts, the pecuniary values which are respectively in litigation are not substantially different for the purposes of the division in question. It is clear, for example, that the difference between 2,000 and 3,000 scudi, or 10,000 and 15,000 scudi, is, for those purposes, nearly or altogether immaterial.

The second supposition is also false. We shall show hereafter, that though the Governor is the president of the Supreme Council, and the Chief Secretary is a member of it, the cases which are brought before it are practically decided by its judicial members; and (as we have shown in the preceding description) its judicial members are the three judges who form the Court of Appeal. The constitutions, therefore, of the two courts are practically identical; and the Supreme Council is not, in practice, a better constituted court than the Court of Appeal. It will, indeed, appear hereafter, that, in theory, the Court of Appeal is the better constituted court of the two.

Consequently, there is no reason whatever for the existence of two ordinary appellate courts. Nor is the existence of two such courts merely useless. A multitude of technical and gratuitous difficulties concerning the respective jurisdictions of the two courts, arises from the line of demarcation by which their jurisdictions are divided. There are, for example, causes in which no pecuniary value is in litigation; and there are other causes in which the value in litigation is not determinable, or can only be determined by an arbitrary and capricious rule. Accordingly, it not unfrequently happens, that the appellant's legal adviser, unable to determine the court to which the appeal lies, enters it in both courts.

It may be added, that until the 26th of March 1827, the Supreme Council had no jurisdiction but its extraordinary one, excepting in Crown and Bankruptcy cases; and that its ordinary jurisdiction in other cases was created by a proclamation of that date, which, as we believe, was issued by the advice of the Chief Justice.

3. The jurisdiction of the Supreme Council, as an extraordinary appellate court, is scarcely less objectionable than the existence of two ordinary courts of appeal.

Appeals lie to the Supreme Council, as an extraordinary appellate court, from the Court of Appeal; and also lie directly to the Supreme Council, in the same capacity, from courts inferior to the Court of Appeal.

In the case of an appeal lying directly to the Supreme Council from a court inferior to the Court of Appeal, there is no reason why the appeal should not lie to the Court of Appeal. The appeal is practically decided in the Supreme Council by the judicial members of the court; and the judicial members of the Supreme Council are the judges who sit in the Court of Appeal.

In the case of an appeal to the Supreme Council from the Court of Appeal, the judges who practically decide the appeal in the Supreme Council, are different from those who, in the Court of Appeal, decided the appeal from the court of original jurisdiction. The former consist of two judges of the courts of original jurisdiction; or of one or two judges of the courts of original jurisdiction, with the judge of the Court of Appeal who was not concerned in the decision pronounced by that court.

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It, therefore, cannot be said, that the appeal from the Court of Appeal to the Supreme Council is virtually an appeal *ab iisdem ad eosdem*. But, though this second appeal is not liable to this objection, it is superfluous, and, therefore, mischievous. The only assignable reasons for granting it, are the following: first, that the Court of Appeal, as an ill-constituted court, is likely to decide erroneously; secondly, that the Supreme Council, as a better constituted court, is likely to correct the misdecisions of the Court of Appeal.

The answer to the first reason is obvious. If the Court of Appeal is an ill-constituted court, the remedy for the mischief is to correct its constitution, and not to burthen the suitor with the second appeal.

The answer to the second reason is equally conclusive. The Supreme Council, as deciding an appeal from the Court of Appeal, is not a better constituted court, than the court whose decision it reviews; for the judicial members of the Supreme Council, who practically decide the appeal, cannot be presumed superior to the judges of the Court of Appeal in judicial ability. It may be added, that the Court of Appeal is exclusively composed of lawyers; whilst the Supreme Council is composed of lawyers, with the Governor and the Chief Secretary. Consequently, the Supreme Council is, in theory, the worse constituted court of the two; and would also be, in practice, the worse constituted court of the two, if the Governor or Chief Secretary, instead of leaving the appeals to the decision of the judicial members, attempted (as he might do) to influence their opinions.

We have already stated, that, according to the construction put upon the proclamation by which the court was established, the Supreme Council, as an extraordinary appellate court, is not a court of equity (in the popular acceptation of the expression). If the Supreme Council, as an extraordinary appellate court, were a court of equity (in that acceptation), many cogent reasons for abolishing its jurisdiction might be added to those which we have already advanced. No judicial authority should be empowered to meddle arbitrarily (or according to its notions of equity, as popularly understood) with any decision of a regular court. The law may be amended and improved by direct legislation, or the judicial legislation of judges whose decisions are guided by statutes and precedents; but not by the capricious interferences of an arbitrary judicial authority with the decisions of the regular tribunals. Such capricious interferences aggravate the uncertainty of the law, without correcting or supplying any of its mischiefs or defects.

4. Though the Governor is the president of the Supreme Council, and the Chief Secretary is one of its members, its judicial members practically decide the cases which are brought before it. The business, therefore, of the court is not substantially aided by the presence of the Governor or Chief Secretary at its sittings; whilst the presence of either at its sittings takes him from the important duties which he substantially discharges.

In practically leaving the cases which are brought before the court to the decision of its judicial members, the Governor and Chief Secretary act wisely and honourably. Not being lawyers, they are hardly qualified to act in a judicial capacity. In every case, moreover, brought before the court, wherein an interest of the Crown is concerned, they may be deemed interested parties; inasmuch as the original proceeding is instituted by their direction, or, at least, by their authority.

We have shown that the Supreme Council is not, in practice, a better constituted court than the Court of Appeal. It appears from the paragraph immediately preceding, that, in theory, the Court of Appeal is the better constituted court of the two. The Court of Appeal is exclusively composed of lawyers. The Supreme Council is composed of lawyers, together with two persons who are hardly qualified to act in a judicial capacity, and who, in some of the cases brought before the court, may be deemed interested parties.

5. We have shown that the existence of two ordinary appellate courts is worse than useless; since a multitude of technical and gratuitous difficulties, concerning their respective jurisdictions, arises from the line of demarcation by which their jurisdictions are divided. We have shown, moreover, that an appeal to the Supreme Council, as an extraordinary appellate court, from the Court of Appeal, is, at the least, superfluous. Owing to these vices in the system of appeals, and to other vices in the system which are inseparable from its needless

less complexity, the system is productive of unnecessary expenses and delays, and other vexations to the suitors. To this it may be added, that though the judges who compose the Court of Appeal are also judicial members of the Supreme Council, the separate existence of the last-mentioned court requires a separate establishment of subordinate officers; and assuming (as we think we have proved) that the Supreme Council is useless, the cost of this separate establishment of subordinate officers is a needless burthen on the public revenue of the island.

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Since the system of appeals produces the inconveniences which we have stated (with other inconveniences which we have not noticed), we think that the Supreme Council ought to be immediately merged in the Court of Appeal in the following manner:

Every appeal which now lies to the Supreme Council, as an ordinary appellate court, ought to lie in future to the Court of Appeal; no appeal ought to lie in future from the Court of Appeal to the Supreme Council; and every appeal which now lies to the Supreme Council, as an extraordinary appellate court, from any court inferior to the Court of Appeal, ought to lie in future to the latter.

We think, moreover, that the merger of the Supreme Council in the Court of Appeal is not the only reform which their constitution and jurisdiction require. We are of opinion that the office of Chief Justice ought to be immediately abolished; and that the Court of Appeal, which now consists of the Chief Justice and two of the Maltese judges, ought to consist, after the abolition of that office, of three of those judges.

Office of Chief Justice.

We shall now submit to your Lordship our principal reasons for this opinion, with our answers to the principal objections which may be made to it.

The offices held by the Chief Justice in the Maltese courts, are the following; namely, the office of Chief Justice (or President of the Court of Appeal), the office of Senior Member of the Supreme Council of Justice, and the office of First Commissioner of the Court of Special Commission. He is also a Member of the Council of Government. He is, moreover, the Judge of the Vice Admiralty Court and a Member of the Court of Piracy.

His functions in all these capacities (excepting that of Member of the Council of Government) are judicial.

He holds the office of Chief Justice during pleasure.

In the Court of Appeal, any two of the three judges who compose the court suffice to form a quorum; the presence of the Chief Justice not being necessary for that purpose, although he bears the title of president of the court, and, as such, takes precedence of every other judicial officer in the island. In the Supreme Council of Justice his presence is not necessary to form a quorum. In fact, his attendances in the Court of Appeal, and in the Supreme Council, are not more numerous than those of either of the Maltese judges who are members of these courts.

As we shall show immediately, the business done in the Supreme Council and the Court of Appeal is comparatively small. The bulk of the business done in the Maltese courts is done in the civil courts of original jurisdiction and the criminal courts. In the business done in these courts scarcely any part is taken by the Chief Justice. He does not sit in any Maltese civil court of original jurisdiction. The only Maltese criminal court in which he sits, is the Court of Special Commission. But the business done by this court is extremely insignificant; not more than four indictments being tried by it in a year.

See Appendix, No. 7.

The business, therefore, which is done by the Chief Justice in the Maltese courts, is scarcely greater than that which is done by the Maltese judges who are members of the Supreme Council and the Court of Appeal; and is less than that which is done by the Maltese judges who sit in the courts of original jurisdiction.

Notwithstanding this, the pay of the Chief Justice is nearly four times larger than that of four of the Maltese judges, and is nearly five times larger than that of the other two. The Chief Justice receives a salary of 1,500*l.* a year, and occupies a government house, valued at 100*l.* a year, rent free. Four of the

Report on Maltese Appellate Courts.

Maltese judges have salaries of 428*l.* 12*s.* a year, one has a salary of 350*l.* a year, and the other has a salary of 308*l.* 10*s.* a year; no emolument, in addition to his salary, being received by any of them. With reference, therefore, to the slender resources of the island, and to the amount of the remuneration for which the services of a competent Maltese judge can be obtained, the pay of the Chief Justice is greatly and invidiously excessive.

It may be added, that the salary of the Chief Secretary (whose office, next to that of the Governor, is the most important civil office in the island) has recently been reduced to 1,000*l.* a year. If our recommendations of economy should be carried into full effect, there will not be more than five civil officers (besides the Governor and Chief Secretary) whose salaries will materially exceed 400*l.* a year; and the salary of the best paid of these five officers will not exceed 600*l.* a year.

Considering the exorbitance of his pay, the discredit which its exorbitance throws upon the government, and the urgent demand for frugality in the expenditure of the revenue drawn from the island, it is manifest that the office of Chief Justice ought not to continue on its present footing. It is manifest that his office ought to be abolished immediately; or that the amount of his pay ought to be reduced immediately to an equality with the amount of the remuneration received by a Maltese judge. For the reasons following, we think that his office ought to be abolished immediately; and that, after the abolition of his office, the Court of Appeal ought to be constituted in the manner to which we have already adverted.

We are convinced, that the six Maltese judges, without the Chief Justice, could easily do the business of the superior Maltese courts of appellate and original jurisdiction*.

See the Appendix, No. 11.

In the year 1837, the number of the appeals entered in the Supreme Council was only 43; and the number of the appeals entered in the Court of Appeal was only 141. In that year, therefore, the number of the appeals entered in both courts was only 184; and of this number, many were entered without any serious intention, on the part of the appellant, of prosecuting the appeal, and merely for the purpose of delaying the respondent. Hence we infer, without hesitation, that the single appellate court which would result from the merger of the Supreme Council in the Court of Appeal, might easily dispose of more appeals than are entered in the two courts with a serious intention of prosecuting them.

It is true that there is a small arrear of business in the Court of Appeal, and that there is a considerable arrear of business in the Supreme Council; and these arrears of business may seem to raise a presumption against the correctness of the inference which we have just drawn.

But, in the first place, the simplification of the system of appeals, which would result from the merger of the Supreme Council in the Court of Appeal, would prevent a large quantity of the technical and gratuitous business which the complexity of the system engenders. In the next place, the business of the two courts would not have fallen into arrear, notwithstanding the complexity of the system, if the judges who sit in those courts had given the requisite attention to their judicial duties. In the year 1837, the Supreme Council sat only 35 times, and the Court of Appeal sat only 80 times; and the average duration of each sitting in each court did not exceed three hours: consequently, in the year 1837, the judges who sit in the two courts did not, on an average, sit considerably more than six hours a week. Now, in our opinion, the single appellate court which would result from the merger of the Supreme Council in the Court of Appeal, should sit, at least, three times a week; and each of its sittings should last, at least, five hours. But if this arrangement were rigidly enforced, the judges sitting in the single appellate court would sit, at least, 15 hours a week; and therefore would give to their judicial duties considerably more than double the time which is given to their judicial duties by the judges who sit in the two courts. Any of the judges, who might not enter cordially into the arrangement, would, in our opinion, justly forfeit his office. He holds his office during his good

See the Appendix, Nos. 1 and 2.

* As we have remarked in a preceding note, the superior Maltese courts are the Maltese courts of appellate and original jurisdiction, in which the Chief Justice and the six Maltese judges sit.

good behaviour; and it appears to us that he would break the condition, by a remiss performance of his judicial duties.

We think, therefore, that our inference is correct; and that the single appellate court, though it sat only three times a week, and though each of its sittings lasted only five hours, might easily dispose of more appeals than are entered in the two courts with a serious intention of prosecuting them.

It may be said, however, that if the office of Chief Justice were abolished, and if the single appellate court consisted of three Maltese judges, one of the four Maltese judges who now sit in the courts of first instance, would be taken from them; and that the business of these courts, one of which (namely, the First Hall of the Civil Court) is now in arrear, could not be done by the remaining three judges.

But, in the first place, the time given to their judicial duties by the judges in the courts of first instance, might and ought to be increased. In the next place, two of the three judges of the single appellate court might form a quorum; the third judge being called in, on any difference between the two, for the purpose of settling it*. One of the three judges of the single appellate court might thus bestow most of his judicial time on the business of the courts of first instance. If, moreover, the single appellate court sat only three times a week, the two other judges belonging to it would be free from the business of the court during three of the six working days in the week; and might bestow one of those three days on the business of the inferior courts. By the various arrangements suggested in the present paragraph, more judicial power would be applied to the business of the courts of first instance than is applied to it at present.

It may, however, be said further, that if the judges of the single appellate court sat in the courts of first instance, they would sometimes try, in their character of appellate judges, appeals from decisions pronounced by themselves as judges of original jurisdiction.

But, in the first place, the president of the Court of Appeal, whose appointment we recommend hereafter, would, if the recommendation were adopted, be present at the hearing of every cause coming before it. He, therefore, would not sit in any court of first instance; though, for the purpose of expediting the business of the inferior courts, he might sit in the Criminal Court, from which there is no appeal. Secondly, every cause in any court of first instance, in which either of the secondary judges of the Court of Appeal might intervene, would either be decided by one of those secondary judges, or by one of those secondary judges and a judge or judges of the courts of first instance. If the decision were appealed from, the appeal could be heard by the president of the Court of Appeal, with the secondary judge of the same court who had not been concerned in the decision; and in case of a difference between the two, a judge of the courts of first instance, who had not been concerned in the decision, might be called in to settle it.

We think, for the foregoing reasons, that the presence of the Chief Justice is not needed in any Maltese court of appellate jurisdiction.

The only Maltese court of original jurisdiction in which he sits, is the extraordinary Court of Special Commission; and it is not expedient, for the sake of securing his presence in that court, to perpetuate his costly office of Chief Justice.

The proclamation of the 15th of October 1829, which creates the Court of Special Commission, enacts that every such commission shall be directed to the Chief Justice for the time being, and to three or more other judges of the superior courts. The jurisdiction of the court (which tries with a jury) extends to every crime punishable with death, or with any punishment continuing to the end of the offender's natural life; and it was subtracted from the jurisdiction of the ordinary superior criminal court, entitled "Her Majesty's Criminal Court." The business done by the Court of Special Commission is insignificant in amount; and its sittings impede the business of the ordinary courts, by occupying the halls in which those courts hold their sittings, and by needlessly taking the judges of those courts from their proper avocations. We think, therefore, that the

* As we have already stated, the Chief Justice with one of his two colleagues, or his two colleagues without him, now form a quorum in the Court of Appeal.

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the jurisdiction of the Court of Special Commission ought to be united to the jurisdiction of Her Majesty's Criminal Court. Any crime now triable by the former, which might be brought before the latter, could be tried by the latter with the aid of a jury; and on trying any such crime with the aid of a jury, the latter might be guided by the procedure prescribed in the last-mentioned proclamation or could follow a procedure less complex, and more intelligible to the lawyers and public of the island. There is no reason for thinking that the judges of the Criminal Court are not as well qualified as the Chief Justice to preside over jury trials. Trying a crime with a jury, and trying it without a jury, are not materially different in respect to the functions of the judge; supposing that the judge who tries without a jury explains the grounds of his judgment. The only difference is, that the judge who tries with a jury explains to the jury the grounds of their verdict; whilst the judge who tries without a jury explains the grounds of his judgment for the satisfaction of the public at large. A judge in the constant habit of trying crimes without a jury, might, therefore, be well qualified to try them with a jury; and would at least be as well qualified to try them with a jury, as a judge whose practice in criminal business should be limited to presiding occasionally over jury trials. Now the judges of the Criminal Court, though trying without juries, explain the grounds of their judgments. The number, moreover, of the indictments tried by the court yearly, is about ninety; whilst the number of the indictments tried yearly by the Court of Special Commission, is only four.

See the Appendix, Nos. 7 and 8,

Though the presence of the Chief Justice is not needed in any Maltese court of appellate or original jurisdiction, some such objection as the following may be made to the abolition of his office:

The law of Malta would be greatly improved by the introduction into it of principles and rules from the law of England. Now an English lawyer, as sitting on the Maltese bench, could introduce such principles and rules (in the way of judicial legislation) either by his own decisions, or by influencing the decisions of his Maltese colleagues; and, as a member of the Council of Government, (or, generally, as an adviser of the government,) he could introduce such principles and rules (in the way of direct legislation) through ordinances of the Governor in Council. But, since the office of Chief Justice, with the seat in the Council of Government which is annexed to it, is filled by an English lawyer, it follows, from the foregoing considerations, that the office ought not to be abolished.

This objection, it appears to us, may be answered satisfactorily as follows:

To induce an English lawyer to accept the office of Chief Justice, the government must give him a salary equal or approaching to the salary which the Chief Justice receives at present. Now (as we have shown already) this salary is exorbitant with reference to the resources of the island, and to the amount of the remuneration for which the services of a competent Maltese judge can be obtained.

Though this salary is exorbitant, as tried by Maltese standards, no English lawyer of distinguished talents and acquirements could be tempted to accept the office by a salary considerably larger. Indeed, no English lawyer of that description would relinquish the prospect of professional advancement in England, and the other advantages of a residence in his native country, for any salary or other remuneration which the English Government in Malta could afford or venture to give him.

And, speaking generally, an English lawyer, even of first-rate ability, would be but ill qualified for the delicate and difficult task of introducing principles and rules from the law of England into the law of Malta. English lawyers of that description are deeply or well read in the law of England; and they apply their theoretical knowledge of the law of England with masterly readiness and skill. But the law of England is so intricate, and is therefore so difficult of acquisition, that those who study and practise it are occupied with it exclusively, and have little or no acquaintance with other systems of jurisprudence. Now the law of Malta is mainly derived, mediately or immediately, from the Roman law. Its technical language, for the most part, is the technical language of the Roman law, as distorted by the modern expositors of that system of jurisprudence; and, even when signifying notions with which he might be familiar, would scarcely be intelligible to an English lawyer exclusively acquainted with the law of England. Generally speaking, therefore, an English lawyer of first-rate

rate ability, filling a judicial office in this island, would not be able to acquire an extensive and accurate knowledge of its system of jurisprudence. But, without this extensive and accurate knowledge, he could not estimate the expediency of introducing into the system, principles and rules from the law of England; or, at the least, he could not introduce them into the system, so as to make them harmonize with the rest of its provisions, and to render them easily intelligible to the native lawyers.

If the English lawyer, filling the office of Chief Justice, were endowed with the discernment and circumspection which a legislator ought to possess, he would forbear from any attempt to introduce such principles and rules; or he would introduce them with the utmost caution, and under the advice and guidance of competent native lawyers. If he were not endowed with those requisite qualities, he would introduce such principles and rules presumptuously and rashly, and without consulting the native lawyers whose advice and guidance he would require.

Many of the various attempts to introduce such principles and rules, which have actually been made by English lawyers, demonstrate the justness of the preceding remarks. Instead of improving the law of Malta, they have aggravated its confusion and uncertainty; and are generally and justly complained of by the native lawyers, and by the other inhabitants of the island who can understand the nature of the grievance.

The number of the principles and rules of the civil and criminal law of England, which could be introduced advantageously into the law of Malta, has been greatly exaggerated. No rational reformer of the criminal law of Malta would take the criminal law of England as his model; for, though the former may be worse than the latter, the badness of the latter is undisputed and indisputable. The civil law of England, though widely different in form from the civil law of Malta, is, to a great extent, identical with the latter in substance. This (which is especially true of English equity, and of the English common law relating to moveables) is what might rationally be expected. Most of the law of Malta (like most of the law of many other European nations) is derived directly from the Roman law; and much of the law of England emanates indirectly from the same system of jurisprudence. Besides, the law of England and the law of Malta (like the several legal systems of other civilized nations) are related by numerous and close analogies, independently of their derivation from a common positive source.

It seems to be thought by some, that the body of the law of England ought to be introduced into Malta, without selection or adaptation. We would merely remark upon this extravagant opinion, that the law of England, as thus introduced into Malta, would be utterly unintelligible to the Maltese people, and even to the Maltese lawyers. Practically, therefore, such an introduction of the law of England would abrogate the law of Malta, without replacing the latter by another system of jurisprudence.

Many of the principles and rules of the law of England, which could have been introduced advantageously into the law of Malta, have been introduced into it already; and it may safely be asserted, that an ordinary Maltese lawyer would be better qualified than a first-rate English lawyer to adapt the rest of them to the Maltese system of jurisprudence. The principles and rules of the law of England, a knowledge of which he would require for this purpose, are neither numerous nor abstruse. They are familiar to most Englishmen of liberal education, not belonging to the legal profession; and could be acquired completely, with moderate application, by an ordinary Maltese lawyer acquainted with the English language. Such, for example, are the principles of constitutional law, the laws for securing the subject from arbitrary imprisonment by the government, and the rules for the extraction of evidence in the common law courts.

The important improvements of which the law of Malta is susceptible, are not to be made by importing into it principles and rules from the law of England. These improvements must be made principally, by simplifying its form; and partly, by amending the substance of such of its older provisions as advancing experience and knowledge have proved to be defective or mischievous. Now any Maltese lawyer endowed with fair abilities, possessing a fair share of general information, and knowing and impartially estimating the existing law of his

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country, would be better qualified for making these improvements than an English lawyer of first-rate talents and acquirements.

We think we have shown sufficiently, that the costly office of Chief Justice ought not to be perpetuated in Malta, for the purpose of securing to the inhabitants of the island the services of an English lawyer in the character of a legislator. As a mere administrator of the law of Malta, a first-rate English lawyer, filling the office of Chief Justice, would clearly be inferior to a native judge of ordinary capacity and attainments. For, in the first place, he would know less than an ordinary native lawyer of the Maltese system of jurisprudence. In the next place, he would be comparatively ignorant of many collateral matters, a knowledge of which is necessary to a just understanding of the system, and still more to a just application of it. For example, he could not know the Italian language (which, with the Latin, is the law-language of the island) as completely and correctly as an ordinary native lawyer who had spoken and written it from his childhood. Of the Maltese language (the language of the majority of witnesses) he would necessarily know nothing, or next to nothing. His knowledge, moreover, of the current business of the island, and of the manners, opinions, and feelings of the natives, would inevitably be defective and inaccurate.

As an administrator of the law of Malta, he, therefore, would be mischievous or inefficient. If he were unconscious of his incapacity to administer the law of Malta, he would do mischief by misapplying it, so far as the control of his colleagues would permit him to apply it at all. If he were conscious of his incapacity, he would probably abstain from interfering with the substantial business of the Maltese courts, and, therefore, would be inefficient. Perhaps, (to conceal his inefficiency under a show of activity,) he might apply the law of England, although it would not be applicable, or, at least, might embarrass his colleagues by unseasonable references to it.

We would briefly remark, before we quit the topic under consideration, that in our Report to your Lordship of the 19th of February last, we assigned reasons for the employment of Maltese in most of the superior administrative offices; and that these reasons, as well as the special reasons assigned in the present Report, may be urged against the employment of an English lawyer in the capacity of Chief Justice in this island.

It may be said, however, that the office of Chief Justice ought not to be abolished, admitting the validity of the foregoing reasons for the measure; for the presence of an English lawyer, in an official capacity, is a useful restraint upon the military government of the island, and imbues its legislation and administration with the free spirit of British institutions.

This objection to the measure is refuted by experience; for though, during some years, the chief legal offices have been filled by English lawyers, the island was not governed, before the accession of the present Governor, with the requisite regard to the reasonable wishes of the people. We believe that the security against misgovernment, from the presence of an English lawyer in an official capacity, would be deemed illusory, by the Maltese themselves; that they have not less reliance on the integrity and independence of their own countrymen in legal offices, than on those of Englishmen in similar employments; and that the exclusion of Maltese from the chief legal offices, and the appointment of Englishmen to them, with exorbitant salaries, was one principal cause of the general discontent of the natives at the late government of the island. And, assuming that the security is not altogether illusory, the inhabitants of the island will hardly need it in future. In consequence of the reform now in operation, they have obtained already, and will probably obtain hereafter, indisputable and important securities against misgovernment. The freedom of the press has been granted; the conduct of the government has been subjected to publicity; and if (as we trust they will) the government institutions for education be duly extended and improved, useful political, with other useful knowledge, will gradually descend to the body of the people. We may add to the foregoing considerations, that if an English lawyer, holding a legal office, opposed himself to the government, as the advocate of the people, his meddling would breed dissensions amongst the members of the government, which would lower its dignity and weaken its authority. Systematic opposition to a government may perhaps be requisite; but can scarcely be carried on, decorously or usefully, by one of its own servants.

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It may also be objected to the abolition of the office of Chief Justice, that questions of English law (as, for example, questions upon Acts of Parliament relating to Malta specially or to the colonies generally) may present themselves occasionally to the Maltese courts of justice, or to the Governor as administering the local government; that such questions could not be resolved conveniently, unless an English lawyer were present in the island; and that the existence of the office secures the presence of an English lawyer, inasmuch as an English lawyer fills it in practice.

It appears to us, that the presence of an English lawyer, in the quality of Chief Justice, can hardly be needed for the mere purpose of obtaining his opinions upon such questions. For, in the first place, such questions present themselves rarely. In the next place, the communications between Malta and England are now so frequent and speedy, that the opinion of a first-rate English lawyer in London could be obtained upon any such question, with little delay or other inconvenience. Lastly, in our Report upon the offices of Attorney-general and Queen's Counsel, we recommend that a Maltese lawyer, bearing the title of Crown Advocate, shall be substituted for those officers; and that Mr. Fletcher, an English attorney, who is the secretary in the Bankruptcy Court and the secretary to the suspended code commission, shall be appointed his assistant. Now, assuming that Mr. Fletcher's opinion upon any such question would not be as worthy of reliance as that of any English lawyer likely to fill the office of Chief Justice, still, (as we have already remarked,) the opinion of a first-rate English lawyer in London could be obtained upon any such question, with little delay or other inconvenience; and in case the local government, on any such question presenting itself, should resolve to take the opinion of any such lawyer, Mr. Fletcher would certainly be competent to state the question for his opinion, with the requisite completeness and accuracy.

It may be objected, moreover, to the abolition of the office of Chief Justice, that the English lawyer who fills it is the Judge of the Vice-Admiralty Court and a Judge of the Court of Piracy; and that the business of these courts could not be done properly, unless it were done by an English lawyer, or under his advice and direction.

The Vice-Admiralty Court was established by letters patent, dated the 23d of July 1803, and has been revived and continued by subsequent letters patent. By the last of these, dated the 24th of January 1838, the Chief Justice was appointed Commissary in the Vice-Admiralty Court of the island of Malta and the territories thereunto belonging.

During war, the business done by the Vice-Admiralty Court may be considerable in amount; and during the long and gigantic war which happily ended in 1814, the business done by it was actually very large, in consequence of the extraordinary nature of the contest. But during peace, the business done by it cannot be considerable in amount. Accordingly, the number of causes tried by it from January 1816 to January 1832 was actually very small, and no cause has been tried by it since January 1832.

See the Appendix, No. 9.

Although the court purports to be the Vice-Admiralty Court of Malta, we believe that its jurisdiction has nothing of a local character, and nothing which concerns specially the peculiar interests of the island.

The Court of Piracy was established by a commission dated the 1st of February 1815, and has been continued by subsequent commissions. The last of these commissions, dated the 10th of March 1832, is directed to the Governor, Lieutenant-governor, or other officer administering the Government of Malta; to the Chief and other Judges of the Courts of Judicature, and the Judge of the Vice-Admiralty Court; to the Commissioner of Naval Affairs for Malta; to the Chief Secretary, Treasurer, and Superintendent of Quarantine; and to the Commander-in-Chief and other Flag-officers of the squadron of ships of war in the ports or roadsteads of Malta, and the captains and commanders of such ships. According to this commission, three of the commissioners make a quorum; of whom, the Governor or other officer administering the Government of Malta, or the Chief or another of the Judges of the Courts of Judicature, or the Judge of the Vice-Admiralty Court must be one. The Chief Justice, therefore, is not a necessary member of the court, though his presence at its sittings may be expedient. According to the same commission, the court has jurisdiction over any offence committed upon the

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the sea, or in any haven, river, creek, or place where the Admiral has jurisdiction; and also over any offence against the Act of the 5th of Geo. 4. (intituled "An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade"), committed in any such place, where the Admiral has no jurisdiction, as is not within the United Kingdom, nor within the local jurisdiction of any ordinary court of a British colony, competent to try the offence.

See the Appendix, No. 10.

The business done by the Court of Piracy has been always inconsiderable in amount. It has tried only 28 offences since its creation in 1815, and has tried no offence since 1833.

The commission of the 10th of March 1832 is directed to persons serving Her Majesty in Malta. The jurisdiction, however, which it gives to the court, has, we believe, nothing of a local character, and nothing which concerns specially the peculiar interests of the island.

According to this commission, the court has jurisdiction over any offence committed within the jurisdiction of the Admiral; and also over any offence against the Act of the 5th of Geo. 4, committed in any such place where the Admiral has no jurisdiction, as is not within the United Kingdom, nor within the local jurisdiction of any ordinary court of a British colony, competent to try the offence. We cannot pretend to determine whether the Admiral has any jurisdiction over an offence committed in a place in Malta, or upon the sea within the limits of Malta. It appears to us, however, that an offence committed in a place in Malta, or upon the sea within the limits of Malta, is naturally within the jurisdiction of the ordinary Maltese courts; and that if the Admiral (or his substitute, the Court of Piracy) has any jurisdiction over the offence, such jurisdiction does not exclude the jurisdiction of those ordinary courts, but is merely concurrent with it.

The question adverted to in the last paragraph may perhaps be resolved in the following manner:—Before the Act of the 28th of Henry 8, the Admiral had jurisdiction over any offence committed upon the sea; and also over any offence committed in any haven, &c. of England and its dependencies, or of any foreign country. This jurisdiction being exercised according to the civil law, a like jurisdiction was given by the Act to certain Commissioners, in order that such offences might be tried thereafter according to the common law of England; so that the jurisdiction of the Admiral, and the jurisdiction of his substitute, the Commissioners or Court of Piracy, are exactly coextensive. It has, we believe, been decided, that the ordinary English courts have a jurisdiction, concurrent with the jurisdictions of the Admiral and the Court of Piracy, over any offence committed in any haven, &c. of England; and, by analogy, the ordinary courts of any dependency of England should have a similar jurisdiction over any offence committed in any haven, &c. of the dependency. Accordingly, before the establishment of the Court of Piracy at Malta, by the commission of the 1st of February 1815, any offence committed in any haven, &c. of Malta, was tried by the ordinary courts of the island.

By a proclamation, indeed, of Sir Thomas Maitland, dated the 25th of October 1817 (No. XI.), cognizance of certain of the offences committed in the ports or harbours of Malta is apparently given to the Court of Piracy, to the exclusion of the ordinary Maltese courts. But, by the same proclamation, cognizance of other of those offences is apparently given to the Magistrate for the Ports, whose court is an ordinary Maltese court; and the proclamation is so obscurely worded, that it is impossible to ascertain the offences which it submits to the Court of Piracy and the Court of the Magistrate for the Ports, or to discover the line of demarcation by which it divides their jurisdictions.

It surely would be most unjust to burthen the revenue drawn from Malta, with the costly office of Chief Justice, for the purpose of maintaining the Vice-Admiralty Court and the Court of Piracy; seeing that their business is next to nothing, and that their functions concern the common interests of the empire, rather than the peculiar interests of this minute part of it. It therefore appears to us, that the letters patent of the 24th of January 1838 and the commission of the 10th of March 1832, from which those courts derive their jurisdictions, ought to be revoked immediately.

The causes and other matters within the jurisdiction of the Vice-Admiralty Court at Malta might be heard and decided by the Vice-Admiralty Court at Gibraltar, so long as the peace, now happily prevailing, shall continue. If a maritime war should unhappily arise in the Mediterranean, and should be of such

such magnitude and duration as to require a Vice-Admiralty Court at Malta, a Judge might be sent from England to Malta, for the purpose of hearing and deciding, till the end of the war, the causes and other matters of which Vice-Admiralty Courts have cognizance.

The Court of Piracy at Gibraltar might try the offences within the jurisdiction of the Court of Piracy at Malta, excepting such offences, within its jurisdiction, as are committed in places in Malta, or upon the sea within the limits of the island. It appears to us, that it has no exclusive jurisdiction over such offences, unless such jurisdiction was conferred upon it by the above-mentioned proclamation of the 25th of October 1817; and that if such jurisdiction was so conferred upon it, such offences ought to be restored, by an immediate repeal of that proclamation, to the natural jurisdiction of the ordinary Maltese courts. It may be added, that, of the 28 offences tried by the Court of Piracy at Malta, since its establishment in 1815, 22 were offences committed in places in Malta, or upon the sea within the limits of the island. The number, therefore, of the offences transferred to the Court of Piracy at Gibraltar, in consequence of the abolition of the Court of Piracy at Malta, would be extremely small.

See the Appendix No. 10.

We may remark, before we quit the topic under consideration, that steam communication between the ports of the Mediterranean is frequent and rapid Consequently, it is not necessary that a Vice-Admiralty or Piracy Court should be placed at a central point in that sea; and the matters within the jurisdictions of the Vice-Admiralty and Piracy Courts at Malta could be disposed of by the Vice-Admiralty and Piracy Courts at Gibraltar, with little or no inconvenience.

Having stated some of the inconveniences produced by the constitution and jurisdiction of the Maltese appellate courts, and by the office of Chief Justice, we will state the recommendations which those inconveniences have determined us to submit to your Lordship. We recommend,

I.—1. That after the day of next, every appeal which would now lie to the Supreme Council of Justice, as an ordinary appellate court, shall lie to the Court of Appeal.

2. That after the same day, no appeal shall lie from the Court of Appeal to the Supreme Council of Justice.

3. That after the same day, every appeal which would now lie to the Supreme Council of Justice, as an extraordinary appellate court, from any court inferior to the Court of Appeal, shall lie to the Court of Appeal:

4. But that no such appeal shall be received by the Court of Appeal, until the party wishing to appeal to it shall have obtained from the Governor a special authority to do so.

5. That any appeal which would now lie to the Queen in Council from any such decision of the Supreme Council of Justice as involves a value exceeding 1,000*l.*, shall lie to the Queen in Council from any similar decision pronounced by the Court of Appeal after the above mentioned day of next.

II.—1. That the office of Chief Justice shall cease before the above-mentioned day of next.

2. That immediately after the cessation of the office of Chief Justice, the Court of Appeal shall consist of three of the six Maltese judges.

3. That one of these three judges shall be styled "President of the Court of Appeal," and shall receive a salary of 600*l.* a year; and that the other two shall be styled "Judges of the Court of Appeal," and shall respectively receive a salary of 450*l.* a year.

4. That, for the purpose of trying or hearing any appeal coming before it, the Court of Appeal shall consist of the president of the court, with a judge of the court who shall not have been concerned in any decision pronounced in

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in the cause by the court or courts below; or that, if each of the judges of the court shall have been so concerned, the court shall consist of the president of the court, with a judge of the courts of first instance who shall not have been so concerned.

5. That if the president and such judge of the Court of Appeal (or the president and such judge of the courts of first instance) shall differ upon any question arising out of the appeal, a judge of the Court of Appeal (or a judge of the courts of first instance) who shall not have been concerned in any such decision, shall be called in to determine the difference.

III.—1. That the Supreme Council of Justice shall try every appeal which may be before it at the close of the above-mentioned day of next.

2. That, for the purpose of trying any such appeal, the Supreme Council of Justice shall consist of any two of the six Maltese judges who shall not have been concerned in any decision pronounced in the cause by the court or courts below; and that if these two judges shall differ upon any question arising out of the appeal, another of the six Maltese judges, who shall not have been concerned in any such decision, shall be called in to determine the difference.

3. That after the Supreme Council of Justice shall have tried every appeal which may be before it at the close of the above-mentioned day of next, and after every such appeal shall have been finally disposed of, its jurisdiction, ordinary and extraordinary, shall cease.

IV.—1. That after the above-mentioned day of next, every offence which would now be triable by the Court of Special Commission, shall be triable, with a jury, by the judges of Her Majesty's Criminal Court.

2. That, to give effect to the recommendation immediately preceding, the commission dated the 23d of January 1838, and directed to Sir John Stoddart, Dr. Randon, Dr. Vella, Dr. Satariano, and Dr. Dingli, shall be revoked before the above-mentioned day of next; and that before the same day, a similar commission shall be directed to the judges of Her Majesty's Criminal Court.

3. That, to give effect to the two recommendations immediately preceding, such alterations in the above-mentioned proclamation of the 15th of October 1829 (and in the proclamations amending it) as may be requisite for that purpose, shall be made, by an Ordinance of the Governor in Council, before the above-mentioned day of next.

V.—That the above-mentioned letters patent of the 24th of January 1838, by which the Chief Justice was appointed Commissary in the Vice-Admiralty Court, shall be revoked; and that after the revocation thereof, all causes and other matters within the jurisdiction of the Vice-Admiralty Court at Malta, shall be heard and determined by the Vice-Admiralty Court at Gibraltar.

VI.—1. That the above-mentioned commission of the 10th of March 1832, directed to the Governor, the Chief Justice, the Judge of the Vice-Admiralty Court, and the other persons composing the Court of Piracy at Malta, shall be revoked.

2. That the above-mentioned proclamation of the 25th of October 1817, shall be repealed before the above-mentioned day of next.

3. That after the revocation of that commission, and the repeal of that proclamation, all offences triable by the Court of Piracy at Malta (excepting such of those offences as are mentioned in the recommendation immediately following) shall be tried by the Court of Piracy at Gibraltar.

4. That after that revocation, and that repeal, all offences committed in places in Malta, or upon the sea within the limits of Malta, which are now triable by the Court of Piracy at Malta, shall be triable by the ordinary Maltese courts.

Remarks upon such of the recommendations as are not sufficiently explained in foregoing parts of the Report.

Having stated the recommendations which the inconveniences produced by the constitution and jurisdiction of the Maltese appellate courts, and by the office of Chief Justice, have determined us to submit to your Lordship, we offer the following remarks upon such of those recommendations as are not sufficiently explained in foregoing parts of our Report.

Remarks

Remarks on I.—4. The appeals which lie to the Supreme Council, as an extraordinary appellate court, from courts inferior to the Court of Appeal, are appeals from decisions wherein the value in litigation is comparatively small. For example, such an appeal lies to the Supreme Council from any decision of the Civil or Commercial Court wherein the value in litigation does not exceed 100 scudi. If the recommendation I. 3. were carried into effect, every such appeal would lie to the Court of Appeal; but if the recommendation I. 4. were also carried into effect, the Court of Appeal would not be empowered to receive the appeal, until the party wishing to appeal to it, had obtained from the Governor a special authority to do so. We incline to think, that every such appeal, as well as every appeal from a decision involving a value comparatively large, ought to be received by the Court of Appeal, without such a special authority. But no such appeal is received by the Supreme Council, without such a special authority; and we abstain from recommending any innovation which would not be rendered necessary by the merger of the Supreme Council in the Court of Appeal, and the abolition of the office of Chief Justice.

We may remark further, that the number of the appeals received by the Supreme Council, as an extraordinary appellate court, from courts inferior to the Court of Appeal, is extremely small. In 24 years, it amounted to 73, or three a year; whilst in the same period, the number received from the Court of Appeal amounted to 367. (*See* the Appendix, No. 4.)

We may remark, moreover, that the line of demarcation, now in question, between appeals from decisions involving the comparatively large value, and appeals from decisions involving the comparatively small value, is not so objectionable as the actual line of demarcation between the jurisdiction of the Supreme Council, as an ordinary appellate court, and the jurisdiction of the Court of Appeal. All the appeals below the first-mentioned line, would be appeals from decisions involving a value comparatively small. Many of the appeals below the last-mentioned line, as well as the appeals above it, are appeals from decisions involving a value comparatively large.

Remarks on I.—5. An appeal lies to the Queen in Council from any decision of the Supreme Council of Justice wherein the value in litigation exceeds 1,000 *l.*; and if the recommendation I. 5. were carried into effect, an appeal would lie to the Queen in Council from any similar decision of the Court of Appeal. The appeal which would lie to the Queen in Council is, perhaps, objectionable. For, in the first place, the Privy Council is scarcely a convenient tribunal for deciding appeals from a Maltese court. In the next place, the allowing such an appeal from a decision involving a value exceeding 1,000 *l.*, and the withholding such an appeal from a decision involving a value not exceeding 1,000 *l.*, would be liable to an objection which we have already adverted to; namely, that many of the appeals below the line of demarcation, as well as the appeals above it, would be appeals from decisions involving a value comparatively large. But such an appeal lies to the Queen in Council from the Supreme Council; and (as we have remarked before) we abstain from recommending any innovation which would not be rendered necessary by the merger of the Supreme Council in the Court of Appeal, and the abolition of the office of Chief Justice.

The expediency of allowing such an appeal is a question of considerable difficulty; as is the expediency of allowing an appeal to the Court of Appeal from a decision involving a small value, without a special authority from the Governor. Both questions ought to be reserved until the entire system of Maltese judicature and procedure shall be reviewed and reformed.

Remarks on II.—1. If this recommendation should be carried into effect, the seat in the Council of Government, which is annexed to the office of Chief Justice, would cease on the cessation of the latter. It might, perhaps, be expedient, that the vacancy which would thereupon happen in the Council of Government, should be filled up immediately thereafter; but it is not necessary that the expediency of this measure should be considered in the present Report.

Remarks on III. In case the Supreme Council should be merged in the Court of Appeal, and the office of Chief Justice should be abolished, it would be

necessary to provide for the arrears which might be in the Supreme Council when the first of those reforms should be carried into effect. We accordingly recommend in III. 1., that the Supreme Council should try the appeals which then might be before it.

The whole of the arrears then in the Supreme Council could not be disposed of conveniently by judges of the Court of Appeal. Every appeal then before the Supreme Council, as an ordinary appellate court, could be disposed of conveniently by judges of the Court of Appeal; for none of the judges of the Court of Appeal would have been concerned in the decision appealed from to the Supreme Council. Every appeal then before the Supreme Council, as an extraordinary appellate court, from any court inferior to the Court of Appeal, could be disposed of conveniently by judges of the Court of Appeal, for the same reason. But no appeal then before the Supreme Council, as an extraordinary appellate court, from the Court of Appeal, could be disposed of conveniently by judges of the Court of Appeal; for the judges of the Court of Appeal would have been concerned in the decision immediately appealed from to the Supreme Council. We accordingly recommend in III. 2., that, for the purpose of trying any appeal then before the Supreme Council, the Supreme Council should consist of any two or three of the six Maltese judges who should not have been concerned in any decision pronounced in the cause by the court or courts below.

It follows from the statements in the last paragraph, that the appeals then before the Supreme Council, as an ordinary appellate court, or as an extraordinary appellate court for deciding appeals from courts inferior to the Court of Appeal, might be disposed of conveniently by judges of the Court of Appeal. But it would be necessary that the appeals then before the Supreme Council, as an extraordinary appellate court for deciding appeals from the Court of Appeal, should be disposed of by judges of the courts of first instance. But the distribution of the arrears then in the Supreme Council, between the judges of the Court of Appeal and the judges of the courts of first instance, is a matter which could be settled conveniently by orders of the local government, rather than by recommendations in the present Report. The extent to which the judges of the Court of Appeal should sit in the courts of first instance, in consequence of the judges of these courts being occupied with those arrears, is also a matter which could be settled conveniently by similar orders.

It must be remembered, that the president of the Court of Appeal would be present at the hearing of every cause coming before it, and, therefore, could not sit in any court of first instance; though, for the purpose of expediting the business of the inferior courts, he might sit in the Criminal Court, from which there is no appeal.

We believe that the six Maltese judges would be well able to dispose of those arrears within a moderate period; and would also be well able, during that period, to keep down the business of the Court of Appeal and the courts of first instance. If (contrary to our belief) they should be called upon to make extraordinary exertions for accomplishing those important objects, they would make those exertions (we have no doubt) without reluctance.

If the recommendation III. 2. should be carried into effect, the temporary Supreme Council, appointed to dispose of those arrears, would consist of two or three of the six Maltese judges, to the exclusion of the Governor and the Chief Secretary. For reasons which we have given in a foregoing part of our Report, the absence of the Governor and the Chief Secretary from its sittings would be advantageous to the public service.

It is hardly necessary to remark, that any appeal lying to the Queen in Council from any decision of the present Supreme Council, would lie from any similar decision of the temporary Supreme Council appointed to dispose of the above-mentioned arrears.

Remarks on IV.—We are of opinion (as we have intimated in a foregoing part of our Report), that the jurisdiction of the Court of Special Commission ought to be united formally, as well as virtually, to that of the Criminal Court; and that the procedure prescribed by the proclamation of the 15th of

Report on Maltese Appellate Courts.

of October 1829 (being the procedure which would be followed by the Criminal Court as trying with the aid of a jury) ought to be rendered less complex, and more intelligible to the lawyers and public of the island. But (as we have remarked before) we abstain from recommending any innovation which would not be rendered necessary by the merger of the Supreme Council in the Court of Appeal, and the abolition of the office of Chief Justice. We therefore content ourselves with recommending, that the commission mentioned in IV. 2. should be directed to the judges of the Criminal Court; and that the alterations mentioned in IV. 3. should be made in the proclamation of the 15th of October 1829. By virtue of the recommendations IV. 2. 3. those judges would sit as commissioners under that proclamation, and not as judges of their proper court; and they would follow the procedure prescribed by that proclamation, with the few exceptions caused by those alterations. But the formal merger of the Court of Special Commission in the Criminal Court, and the requisite simplification of the procedure on trials by jury, could be more conveniently accomplished by the projected code of criminal judicature and procedure than by the reform of the appellate courts which is contemplated in the present Report.

Extent of the reform proposed in the Report.

The reform which is proposed in the present Report is limited to the constitution and jurisdiction of the Maltese appellate courts. Moreover, it is limited to the merger of the Supreme Council in the Court of Appeal, the abolition of the office of Chief Justice, and a few incidental changes which those two measures would involve. A general reform of the actual judicature and procedure (which, as we have remarked before, is imperiously called for) would be far more extensive than the partial reform which is proposed in the present Report. It would extend to the procedure of all the Maltese courts below the Court of Appeal, and to their constitution and jurisdiction. It would also extend to the procedure of the appellate court which would result from the merger of the Supreme Council in the Court of Appeal; and even the constitution and jurisdiction of that newly created court might be somewhat affected by it. Consequently, the reform which is proposed in the present Report would not be an adequate remedy for the numerous evils of the actual judicature and procedure. But it would immediately remedy the worst of these evils, or such of them as are most complained of by the inhabitants of Malta; and it would accomplish this very considerable good, without deranging the parts of the actual judicature and procedure which are not embraced by its scope. It would also immediately relieve the slender resources of the island from the heavy burthen imposed upon them by the needless office of Chief Justice. We therefore hope that your Lordship will approve of it, and will issue the instructions, and take the other measures, which may be requisite for carrying it into effect.

We have, &c.

John Austin,

George Cornewall Lewis.

To the Lord Glenelg,

&c. &c. &c.

APPENDIX TO REPORT ON MALTESE APPELLATE COURTS.

Appendix, No. 1.

Report on Maltese Appellate Courts.

Appendix, No. 1.

RETURN of the Number of Days of Sitting in the SUPREME COUNCIL of JUSTICE in the Year 1837, and of the Number of Causes either Decided, or Heard but not Decided, on each Day; distinguishing the Names of the Judges present.

Day of Sitting.	Number of Causes decided.	Names of the Judges.	Number of Causes heard, but not decided.	Names of the Judges.
7 Jan. -			- - Further hearing of cause No. 577, continued from 29th Oct., 19th and 26th Nov., 3d, 10th, 24th and 31st Dec. 1836.	- - Sir John Stoddart, Dr. Randon, and Sir C. Bonnici.
4 Feb. -				
11 - -				
18 - -	- -	- - - - - - - -		
25 - -				
9 March -				
11 - -				
18 - -	- -	Sir C. Bonnici alone. (Hearing and decision of a collateral citation in cause 671.)		
4 April -			- Still further hearing of cause No. 577.	- - ditto.
15 - -	- -	- - - - - - - -		
22 - -				
29 - -	- -	- - Sir J. Stoddart, Dr. Randon, Sir C. Bonnici. (Hearing and decision of two collateral citations in causes Nos. 662 & 670.)	1, No. 649.	- - ditto.
6 May -	- -	Sir C. Bonnici alone. (Hearing and decision of a collateral citation in cause No. 668.)		
6 - -	2, Nos. 649 & 658.	- - Sir J. Stoddart, Dr. Randon, and Sir C. Bonnici.		
13 - -	- -	- - - - - - - -	1, No. 628.	- - ditto.
20 - -	- -	Sir C. Bonnici alone. (Hearing and decision of a collateral citation in cause No. 673.)		
	1, No. 626.	- - Sir J. Stoddart, Dr. Randon, and Sir C. Bonnici. (This cause remains still undecided.)	1, No. 622.	- - ditto.
27 - -	- -	- - - - - - - -	1, No. 594.	- - The Governor, Sir J. Stoddart, Sir C. Bonnici.
3 June -	- -	- - - - - - - -	1, No. 501.	- - The Governor, Sir C. Bonnici, Dr. Vella.
8 - -	1, No. 501.	- - The Governor, Sir C. Bonnici, Dr. Vella.		
20 - -	1, No. 594.	- - The Governor, Sir J. Stoddart, Sir C. Bonnici.		
1 July -	- -	- - - - - - - -	1, No. 610.	- - The Governor, Sir J. Stoddart, Dr. Randon.
8 - -	1, No. 610.	- - The Governor, Sir J. Stoddart, and Dr. Randon.		
17 Aug. -	1, No. 671.	- - The Governor, Sir C. Bonnici, Dr. Vella.		
24 Sept. -	1, No. 678.	- - Sir J. Stoddart, Dr. Randon, and Sir C. Bonnici.		
5 Oct. -	- -	- - - - - - - -	1, No. 638.	- - The Governor, Sir C. Bonnici, Sir I. Bonavita.
12 - -	1, No. 638.	- - The Governor, Sir C. Bonnici, Sir I. Bonavita.		
14 - -	- -	- - - - - - - -	1, No. 542.	- - Sir J. Stoddart, Dr. Randon, Sir C. Bonnici.
21 - -	2, Nos. 542 & 577.	- - Sir J. Stoddart, Dr. Randon, Sir C. Bonnici.		
21 - -	- -	Sir C. Bonnici alone. (Hearing and decision of a collateral citation in cause No. 677.)		

(continued)

Day of Sitting.	Number of Causes decided.	Names of the Judges.	Number of Causes heard, but not decided.	Names of the Judges.
4 Nov.	-	-	2, Nos. 669 & 674.	- - Sir J. Stoddart, Dr. Randon, Sir C. Bonnici.
11 —	-	- - Sir J. Stoddart, Dr. Randon, Sir C. Bonnici. (Interlocutory decree pronounced in causes Nos. 669 & 674; and hearing and decision of two collateral citations in causes Nos. 702 & 703.)		
25 —	2, Nos. 669 & 674.	- - Sir J. Stoddart, Dr. Randon, Sir C. Bonnici.		
2 Dec.	-	Sir C. Bonnici alone - - (Hearing and decision of a collateral citation in cause No. 704.)	1, No. 552.	- - ditto.
7 —	1, No. 519.	- - The Governor, Sir J. Stoddart, Sir I. Bonavita.		
9 —	1, No. 552.	- - Sir J. Stoddart, Dr. Randon, Sir C. Bonnici.		
14 —	-	-	1, No. 599.	- - The Governor, Sir Ig. Bonavita, Dr. Vella.
21 —	1, No. 599.	- - The Governor, Sir I. Bonavita, Dr. Vella.		

The Judges usually come into Court at or a little after 10 o'clock, A. M., and the sittings are never protracted, except in some solitary instance, beyond half-past 12 or 1 o'clock, P. M.; but when collateral citations, cognizable by one member alone, are set down for hearing on the days of the ordinary sittings of the Council, that member is wont to attend at 9 o'clock to dispose of the matter before the meeting of the other members.

Registry of the Supreme Council of Justice, Valletta, 27 February 1838. (signed) *Vinº. Mamo*, Regr.

Appendix, No. 2.

RETURN of the Days of Sitting in Her Majesty's COURT OF APPEAL, *Malta*, in the Year 1837, and of the Number of Causes Decided, or Heard and not Decided, on each Day; distinguishing the Names of the Judges present.

Appendix, No. 2.

Day of Sitting.	Number of Causes decided.	Names of the Judges.	No. of Causes heard, but not decided.	Names of the Judges.
9 Jan.	1	President and Dr. Randon	2	President and Dr. Randon.
11 —	3	Ditto and Dr. Dingli.		
16 —	-	-	4	Ditto and Dr. Randon.
18 —	-	-	1	Ditto and Dr. Dingli.
20 —	1	Dr. Randon and Dr. Dingli	2	Dr. Randon and Dr. Dingli.
23 —	-	-	2	President and Dr. Randon.
27 —	3	Dr. Randon and Dr. Dingli	1	Dr. Randon and Dr. Dingli.
30 —	-	-	6	President and Dr. Randon.
1 Feb.	2	President and Dr. Dingli	1	Ditto and Dr. Dingli.
3 —	-	-	2	Dr. Randon and Dr. Dingli.
13 —	4	President and Dr. Randon.		
15 —	1	Ditto and Dr. Dingli	2	President and Dr. Dingli.
17 —	2	Dr. Randon and Dr. Dingli	1	Dr. Randon and Dr. Dingli.
20 —	1	President and Dr. Randon.		
22 —	2	Ditto and Dr. Dingli	1	President and Dr. Dingli.
24 —	2	Dr. Randon and Dr. Dingli.		
27 —	1	President and Dr. Randon	1	President and Dr. Randon.
1 March	1	President and Dr. Dingli	1	President and Dr. Dingli.
3 —	1	Dr. Randon and Dr. Dingli	2	Dr. Randon and Dr. Dingli.
6 —	1	President and Dr. Randon	1	President and Dr. Randon.
8 —	1	Ditto and Dr. Dingli.		
10 —	-	-	2	Dr. Randon and Dr. Dingli.
13 —	-	-	3	President and Dr. Randon.
15 —	1	President and Dr. Dingli.		
31 —	1	Dr. Randon and Dr. Dingli	1	Dr. Randon and Dr. Dingli.

Report on Maltese Appellate Courts.

Appendix, No. 2.

Day of Sitting.	Number of Causes decided.	Names of the Judges.	No. of Causes heard, but not decided.	Names of the Judges.
5 April -	2	President and Dr. Randon -	1	President and Dr. Randon.
21 — -	- -	- - - - - -	1	Ditto and Dr. Dingli.
5 May -	- -	- - - - - -	3	Dr. Randon and Dr. Dingli.
8 — -	1	President and Dr. Randon -	1	President and Dr. Randon.
10 — -	- -	- - - - - -	1	Ditto and Dr. Dingli.
15 — -	1	President and Dr. Randon -	2	Ditto and Dr. Randon.
17 — -	- -	- - - - - -	1	Ditto and Dr. Dingli.
19 — -	2	Dr. Randon and Dr. Dingli	1	Dr. Randon and Dr. Dingli.
24 — -	- -	- - - - - -	1	President and Dr. Dingli.
31 — -	1	President and Dr. Dingli.		
2 June -	- -	- - - - - -	1	Dr. Randon and Dr. Dingli.
12 — -	2	President and Dr. Randon -	2	President and Dr. Randon.
14 — -	- -	- - - - - -	1	Ditto and Dr. Dingli.
16 — -	1	Dr. Randon and Dr. Dingli	1	Dr. Randon and Dr. Dingli.
19 — -	- -	- - - - - -	1	President and Dr. Randon.
26 — -	- -	- - - - - -	1	Ditto and ditto.
28 — -	- -	- - - - - -	3	Ditto and Dr. Dingli.
30 — -	1	Dr. Randon and Dr. Dingli	1	Dr. Randon and Dr. Dingli.
3 July -	2	President and Dr. Randon -	1	President and Dr. Randon.
5 — -	- -	- - - - - -	2	Ditto and Dr. Dingli.
7 — -	- -	- - - - - -	1	Dr. Randon and ditto.
10 — -	- -	- - - - - -	1	President and Dr. Randon.
12 — -	- -	- - - - - -	1	Ditto and Dr. Dingli.
11 Sept. -	- -	- - - - - -	2	Ditto and Dr. Randon.
13 — -	- -	- - - - - -	4	Ditto and Dr. Dingli.
15 — -	1	Dr. Randon and Dr. Dingli	1	Dr. Randon and Dr. Dingli.
18 — -	1	President and Dr. Randon -	2	President and Dr. Randon.
20 — -	- -	- - - - - -	1	Ditto and Dr. Dingli.
22 — -	1	Dr. Randon and Dr. Dingli	1	Dr. Randon and ditto.
25 — -	- -	- - - - - -	1	President and Dr. Randon.
27 — -	- -	- - - - - -	2	Ditto and Dr. Dingli.
29 — -	2	Dr. Randon and Dr. Dingli.		
2 October -	2	President and Dr. Randon.		
4 — -	3	Ditto and Dr. Dingli.		
9 — -	1	Ditto and Dr. Randon -	1	Ditto and Dr. Randon.
11 — -	3	Ditto and Dr. Dingli -	1	Ditto and Dr. Dingli.
16 — -	2	Ditto and Dr. Randon.		
20 — -	- -	- - - - - -	2	Dr. Randon and Dr. Dingli.
27 — -	1	Dr. Randon and Dr. Dingli	2	Ditto and ditto.
30 — -	- -	- - - - - -	3	President and Dr. Randon.
3 Nov. -	1	Dr. Randon and Dr. Dingli	2	Dr. Randon and Dr. Dingli.
8 — -	- -	- - - - - -	2	President and ditto.
13 — -	1	President and Dr. Randon -	2	Ditto and Dr. Randon.
15 — -	2	Ditto and Dr. Dingli - -	1	Ditto and Dr. Dingli.
17 — -	1	Dr. Randon and ditto -	2	Dr. Randon and ditto.
20 — -	2	President and Dr. Randon -	1	President and Dr. Randon.
24 — -	1	Dr. Randon and Dr. Dingli	2	Dr. Randon and Dr. Dingli
27 — -	2	President and Dr. Randon.		
29 — -	- -	- - - - - -	4	President and Dr. Dingli.
1 Dec. -	2	Dr. Randon and Dr. Dingli	1	Dr. Randon and ditto.
4 — -	- -	- - - - - -	4	President and Dr. Randon.
6 — -	1	President and Dr. Dingli -	2	Ditto and Dr. Dingli.
11 — -	1	Ditto and Dr. Randon -	2	Ditto and Dr. Randon.
13 — -	- -	- - - - - -	2	Ditto and Dr. Dingli.
15 — -	1	Dr. Randon and Dr. Dingli	1	Dr. Randon and ditto.
	74			

Observations:—Besides the Causes definitively decided in the course of the year 1837, as shown by the preceding Return, Decrees have been pronounced in some of those causes on preliminary exceptions, and on collateral citations. Also, during that year other decisions have been pronounced on points which had a relation to the main decisions.

It must also be observed, that the hearing of some of the above decided Causes took place at several sittings; and sometimes a Cause has entirely occupied the Court for the whole sitting, and even in more than one sitting.

The Court usually sits at half-past nine A. M., and sometimes later, especially when the causes are commercial ones.

The sittings last generally until between twelve and one o'clock P. M., and sometimes the Court has sat to about two P. M.

La Valletta, 28 February 1838. (signed) *V. Montanaro*, Regr.

Appendix, No. 3.

A Numerical Statement of Petitions for Rehearing of Causes, or for leave to Appeal to the Supreme Council of Justice, presented in each Year from 1814 to 1837, both Years inclusive; and of those Granted Yearly, distinguishing in the latter Number the Proportion of Petitions presented in previous Years.

YEARS.	Petitions presented.	PETITIONS ADMITTED. TOTAL.	YEARS OF THEIR PRESENTATION. 1814.	1815.	1816.	1817.	1818.	1819.	1820.	1821.	1822.	1823.	1824.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	1835.	1836.	1837.
1814	43	20	20																							
1815	83	48	3	45																						
1816	82	32	–	4	28																					
1817	75	19	–	–	8	11																				
1818	60	28	–	–	–	13	15																			
1819	62	17	–	–	–	2	5	10																		
1820	92	13	–	–	–	–	–	1	12																	
1821	75	36	–	–	–	–	–	2	20	14																
1822	63	24	–	–	1	–	–	2	–	10	11															
1823	73	24	–	–	–	–	–	–	–	2	9	13														
1824	79	32	–	–	–	–	–	–	4	3	1	12	12													
1825	71	28	–	–	–	–	–	–	–	–	–	1	16	11												
1826	54	11	–	–	–	–	–	–	–	–	–	–	–	5	6											
1827	73	11	–	–	–	–	–	–	–	–	–	–	–	–	7	4										
1828	44	10	–	–	–	–	–	–	–	–	–	–	–	2	–	2	6									
1829	29	9	–	–	–	–	–	–	–	–	–	–	–	–	–	1	3	5								
1830	34	6	–	–	–	–	–	–	–	–	–	–	–	2	–	2	–	–	2							
1831	39	11	–	–	–	–	–	–	–	–	–	–	–	–	–	1	–	1	3	6						
1832	48	1	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	1					
1833	42	4	–	–	–	–	–	–	–	–	–	–	–	–	–	1	–	–	–	–	–	3				
1834	26	7	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	1	3	3			
1835	28	29	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	11	7	11		
1836	38	12	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	12	
1837	34	12	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	12
Totals	1,342	444	23	49	37	26	20	15	36	29	21	26	28	20	13	11	9	6	5	6	2	17	10	11	12	12

(signed) *Vinº Mamo,*
Registrar of the Supreme Council of Justice.

Appendix, No. 4.

A Numerical Statement of Petitions for Rehearing of Causes in, or for leave to Appeal to, the Supreme Council of Justice, granted in each Year from 1814 to 1837, distinguishing the Courts, &c., whose Decisions were appealed from.

YEARS.	Petitions Admitted.	APPEALS FROM. Awards of Arbitrators.	Court of Appeal.	Civil Court.	Commercial Court.	Court of Magistrates of Gozo.	TOTAL.
1814	20	2	13	3	2	- - -	20
1815	48	2	43	2	1	- - -	48
1816	32	- - -	31	1	- - -	- - -	32
1817	19	- - -	19	- - -	- - -	- - -	19
1818	28	- - -	27	- - -	1	- - -	28
1819	17	- - -	17	- - -	- - -	- - -	17
1820	13	- - -	13	- - -	- - -	- - -	13
1821	36	- - -	36	- - -	- - -	- - -	36
1822	24	- - -	20	- - -	3	1	24
1823	24	- - -	21	1	2	- - -	24
1824	32	- - -	29	- - -	2	1	32
1825	28	- - -	24	2	1	1	28
1826	11	- - -	9	- - -	2	- - -	11
1827	11	- - -	7	1	3	- - -	11
1828	10	- - -	9	1	- - -	- - -	10
1829	9	- - -	7	2	- - -	- - -	9
1830	6	- - -	6	- - -	- - -	- - -	6
1831	11	- - -	7	1	1	2	11
1832	1	- - -	1	- - -	- - -	- - -	1
1833	4	- - -	2	2	- - -	- - -	4
1834	7	- - -	3	4	- - -	- - -	7
1835	29	- - -	10	14	5	- - -	29
1836	2	- - -	8	4	- - -	- - -	12
1837	12	- - -	5	6	1	- - -	12
Totals	444	4	367	44	24	5	444

(signed) *Vinº Mamo,*
Registrar of the Supreme Council of Justice.

Report on Maltese Appellate Courts.

Appendix, No. 5.

Appendix, No. 5.

STATEMENT of the Number of Cases of Ex gratia Appeals decided in the SUPREME COUNCIL of JUSTICE, *Malta*, in each of the Years, from 1830 to 1837 inclusively, showing how many of the Decisions appealed from were Confirmed, Reversed, and Reformed.

YEARS.	Number of Cases Decided.	Decisions Appealed from.		
		Confirmed.	Reversed.	Reformed.
1830	2	1	1	—
1831	2	1	1	—
1832	3	—	2	1
1833	3	1	—	2
1834	3	—	1	2
1835	5	1	3	1
1836	3	—	3	—
1837	5	2	1	2
TOTALS	26	6	12	8

(signed) *Vinº Mamo*, Registrar.

Appendix, No. 6.

Appendix, No. 6.

RETURN of the Number of Causes pending in the SUPREME COUNCIL of JUSTICE, *Malta*.

Appeals interposed as matter of right	53
Ditto admitted *ex gratia*	43
TOTAL	96

23 March 1838.

(signed) *Vinº Mamo*,
Registrar of the S. C. of Justice.

Appendix, No. 7.

Appendix, No. 7.

RETURN of the Number of Indictments Tried by the COURT of SPECIAL COMMISSION, in the Island of *Malta* and its Dependencies, in each Session since its Institution, specifying the Date of each Session.

No. of the Session.	Date of the Session.	Number of Indictments Tried in each Session.	REMARKS.
1	15 Feb. 1830	Indictments, No. 1.	
2	19 April —	Indictments, Nos. 3. 5, 6, 7	- - Indictments No. 2 and 4 were tried in the third session.
3	20 Sept. —	Indictments, Nos. 2. 4. 8, 9, 10.	
4	20 Jan. 1831	Indictment, No. 11	- - Indictments No. 12, 13, and 14 were entered with a note of *nolle prosequi*.
5	3 Oct. —	Indictments, Nos. 15, 16.	
6	21 Dec. —	Indictment, No. 17.	
7	10 July 1832	Indictment, No. 18	Indictment No. 19, ditto.
8	3 Sept. —	Indictments, Nos. 20, 21, 22.	
9	1 July 1833	Indictments, No. 23, 24.	
10	27 Jan. 1834	Indictments, No. 25, 26.	
11	7 July 1835	Indictment, No. 27.	
12	25 Nov. —	Indictment, No. 28.	
13	11 Mar. 1836	Indictments, Nos. 29, 30, 31.	
14	5 Nov. —	Indictments, Nos. 32, 33.	
15	16 Mar. 1837	Indictment, No. 34.	
16	23 Oct. —	Indictment, No. 37	Indictments 35 and 36, ditto.
17	16 Dec. —	Indictment, No. 38.	
18	9 Feb. 1838	Indictment, No. 39.	

Malta, Valletta, 14 March 1838.

(signed) *Vincº Rapinett*,
Acting Registrar.

Appendix, No. 8.

RETURN of the Number of the Days of Sitting held in Her Majesty's Criminal Court, *Malta*, in the Year 1837, and of the Number of Indictments Tried or Heard on each Day, distinguishing the Number Tried before Two Judges, viz. Dr. *Vella* and Dr. *Satariano*, and those Tried before One Judge, viz. Dr. *Satariano* only; there having been no Indictments before Three Judges this Year.

DATE.	Indictments on which Sentence was given.	Indictments partly Tried.	Number of Indictments Tried before	
			Dr. Vella and Dr. Satariano.	Dr. Satariano only.
7 January 1837	2	- - -	2	
9 – –	2	- - -	1	1
14 – –	2	- - -	- - -	2
20 – –	1	1	- - -	2
21 – –	- - -	1	- - -	1
23 – –	1	- - -	- - -	1
27 – –	1	- - -	- - -	1
14 February –	1	- - -	- - -	1
18 – –	2	- - -	1	1
24 – –	1	- - -	1	
25 – –	1	- - -	- - -	1
4 March –	- - -	2	1	1
6 – –	- - -	1	- - -	1
7 – –	- - -	1	- - -	1
9 – –	1	- - -	- - -	1
11 – –	2	- - -	1	1
15 – –	1	- - -	1	
1 April –	2	- - -	2	
4 – –	3	- - -	- - -	3
7 – –	4	- - -	2	2
8 – –	- - -	1	- - -	1
10 – –	1	- - -	1	
14 – –	1	- - -	1	
15 – –	1	- - -	1	
5 May –	2	- - -	- - -	2
6 – –	1	1	2	
8 – –	1	- - -	1	
13 – –	2	- - -	1	1
19 – –	4	- - -	- - -	4
27 – –	2	- - -	1	1
3 June –	1	- - -	- - -	1
5 – –	- - -	2	- - -	2
12 – –	1	- - -	1	
17 – –	4	- - -	1	3
19 – –	- - -	1	1	
20 – –	- - -	1	1	
23 – –	1	- - -	1	
1 July –	2	- - -	1	1
29 – –	1	- - -	1	
15 Sept. –	4	- - -	3	1
23 – –	- - -	1	1	
26 – –	4	- - -	4	
17 October –	- - -	1	1	
25 – –	- - -	1	1	
27 – –	2	- - -	2	
3 November –	- - -	1	1	
10 – –	- - -	1	1	
11 – –	- - -	1	1	
13 – –	- - -	1	1	
14 – –	1	- - -	1	
24 – –	5	- - -	5	5
25 – –	1	1	2	
28 – –	1	- - -	1	
1 December –	3	- - -	- - -	3
2 – –	4	- - -	4	
8 – –	3	- - -	- - -	3
9 – –	3	- - -	3	
30 – –	5	- - -	3	2
Total - - -	88			

N. B.—The usual hours of the sittings in this court are from nine to half-past twelve o'clock provided the list of causes for hearing be exhausted. Sometimes the court sits until one or two o'clock, or later. Sometime the sitting is over even before half-past twelve o'clock, viz. when no causes put on the list remain to be tried.

Registry of Her Majesty's Criminal Court, 15 March 1838.

(signed) Noty *Aug. Albert Camilleri*, Registrar.

Report on Maltese Appellate Courts.

Appendix, No. 9.

Appendix, No. 9.

RETURN of Decisions and Decrees made in the Vice Admiralty Court at *Malta*, between the Years 1816 and 1837 inclusive.

DATES.	NAMES.	NATURE OF CAUSES.
22 Jan. 1816	French ship Hardy - -	Condemned as prize.
5 Oct. –	- - Ship and part cargo of the Madonna delle Grazie.	- - ditto.
—	Cargo of French ship Hardy -	- - ditto.
25 Oct. –	- - French frigate Melpomene, already condemned.	Decree pronouncing the Rivoli sole captor.
18 Nov. –	Paul Hamilton - - -	Decree of attachment.
13 March 1817	Little Belt - - - -	Condemned in a cause of subtraction of wages
23 Oct. 1821	William - - - -	- - Condemnation of monies and effects, piratical property as droits of Admiralty.
23 Dec. 1826	Principessa Paulina - -	Decree for certificate of condemnation.
30 Jan. 1827	Les deux Amis - - -	Idem, further proof.
7 Sept. –	Josephin Direlict - - -	- - Restitution on payment of salvage and expenses.
8 Sept. –	- - ditto - - - -	Decree pronouncing amount of salvage due.
—	Themistocles - - - -	Decree of supersedeas.
—	- ditto - - - -	- - ditto.
—	- ditto - - - -	- - ditto.
—	- ditto - - - -	- - ditto.
—	- ditto - - - -	- - ditto.
15 Sept. –	Josephin - - - -	Decree for salvage.
—	- ditto - - - -	- - ditto.
—	Themistocles - - -	Decree of supersedeas.
—	- ditto - - - -	- - ditto.
13 Oct. –	- ditto - - - -	- - ditto.
—	Josephin - - - -	- - Decree, confirmation of report of registrar and merchants.
10 Nov. –	Venus - - - - -	Decree.
—	- ditto - - - -	ditto.
17 Nov. –	Achilles - - - -	ditto.
—	Venus - - - - -	ditto.
27 Nov. –	Achilles - - - -	Restitution of goods.
7 Dec. –	Venus - - - - -	- - ditto.
8 Dec. –	- ditto - - - -	- - ditto.
28 Dec. –	- ditto - - - -	Decree of salvage.
—	Achilles - - - -	Decree for payment of monies from registry.
—	- ditto - - - -	Decree, admission of libel.
—	Venus - - - - -	Decree.
—	- ditto - - - -	ditto.
5 Feb. 1828	Achilles - - - -	- - Decree, restitution to claimants of goods and condemnation of ship in damages.
—	- ditto - - - -	- - - - - ditto
9 Feb. –	- ditto - - - -	Decree of salvage.
23 Oct. –	Venus - - - - -	Decree of sale.
3 Nov. –	- ditto - - - -	Monition against goods.
17 Jan. 1829	Carabusa, piratical goods -	Decree, appraisement and sale.
16 May –	Heracles - - - -	- - Condemnation of ship and money, as piratical property.
11 July –	Carabusa, goods - - -	decree for monition.
—	- - Mistico, name unknown, piratical vessel.	- - Monition against goods and decree for head-money to captors.
5 Sept. –	Carabusa, goods - - -	Decree, appraisement and sale.
—	Mistico, name unknown - -	- - Condemnation of monies and effects as droits of Admiralty.
6 Feb. 1830	- - Five brass guns, recovered at Navarin.	- - Condemned as droits of Admiralty, on payment of salvage.
11 Sept. –	Carabusa, goods - - -	Condemned as Crown droits.
5 April 1831	- - Monies taken from pirates at Carabusa.	Decree for monition as Crown droits.
8 Dec. –	Five brass guns - - -	Decree of salvage.
12 Jan. 1832	- - Monies taken from pirates at Carabusa.	Condemned as Crown droits.

Vice-Admiralty Court, Malta,
8 March 1838.

(signed) *Charles Curry*,
Acting Registrar.

Appendix, No. 10.

STATEMENT of the Number of Sessions held at *Malta* from 1815 to 1837 inclusively, under Her Majesty's Commission for the Trial of Piratical and other Offences committed upon the Seas, or in other Places within the Jurisdiction of the Lord High Admiral, and of the Indictments tried at each Session.

Session.	Date.	Indictments against.	Session.	Date.	Indictments against.
1st.	16 Nov. 1815	Felice Fiteni, Ghali Zhraf and others, Salvatore Carnana, Giuseppe Francis.	5th.	5 Oct. 1818	M. A. Giordano, Nicola Romano.
			6th.	26 Oct. 1819	Nothing.
			7th.	10 Jan. 1820	Chas. Christopher Delano and others,
2d.	26 Oct. 1816	Carmelo Ruggiero, Giuseppe Trapani, Gaetano Brancaglione and others.			Nicola Patanovich, Francesco Mizzi, Lorenzo Borg.
3d.	13 June 1817	Cataldo Brancaglione and others, Marcello Asciah and others, Pasquale di Natali.	8th.	4 Feb. 1823	Vincenzo Agius.
			9th.	17 Feb. 1825	Pano Chiavani and others, Giuseppe Datu and another.
4th.	13 Oct. —	Salvatore Diacono and another, Paolo Acquilina.	10th.	30 April 1827	Lazzaro Mussu and others.
			11th.	21 Feb. 1828	Andonis ta Manoli and others.
5th.	5 Oct. 1818	Giovanni Xicluna and others, Giuseppe Xerri, Giuseppe Farrugia,	12th.	19 May 1829	Theodoro Portarinos and others.
			13th.	11 April 1833	Francesco Antº Dambra and others.

(signed) *H. Greig*, Chief Secretary to Government.

All the offences included in the indictments specified in the above return were committed in the bays and harbours of Malta, or a few miles distant from Malta, except the offences included in the six following indictments; viz. against Salvatore Diacono and another, Charles Christopher Delano and others, Pano Chiavani and others, Lazzaro Mussu and others, Andonis ta Manoli and others, Theodoro Portarinos and others.

Appendix, No. 11.

RETURN of the Number of Causes introduced and disposed of Monthly in the Maltese Superior Courts of Civil Judicature, in the Year 1837.

SUPREME COUNCIL OF JUSTICE.

1837.	Remaining pending at the end of preceding Month.	Introduced in each Month.	Total.	Disposed of.			Remained at the end of each Month.
				By Decision.	Cession, Desertion, &c.	Total.	
January - -	67	- - -	67	- - -	2	2	65
February -	65	7	72	- - -	1	1	71
March - -	71	4	75	- - -	1	1	74
April - -	74	4	78	- - -	1	1	77
May - -	77	1	78	3	- - -	3	75
June - -	75	2	77	2	- - -	2	75
July - -	75	3	78	1	- - -	1	77
August - -	77	2	79	1	- - -	1	78
September -	78	2	80	1	- - -	1	79
October - -	79	6	85	3	2	5	80
November -	80	6	86	2	1	3	83
December -	83	6	89	3	4	7	(a) 82
TOTAL - -	- - -	43	- - -	16	12	28	—

(a) Of this number,

2 were introduced in - - -	1824	7 were introduced in - - -	1834
1 - - ditto - - - -	1825	12 - - ditto - - - -	1835
2 - - ditto - - - -	1829	20 - - ditto - - - -	1836
1 - - ditto - - - -	1830	34 - - ditto - - - -	1837
1 - - ditto - - - -	1831	82	
1 - - ditto - - - -	1832		
1 - - ditto - - - -	1833		

COURT OF APPEAL.

1837.	Remaining pending at the end of preceding Month.	Introduced in each Month.	Total.	Disposed of			Remained at the end of each Month.
				By Decision.	Cession, Desertion, &c.	Total.	
January -	215	19	234	8	-	8	226
February -	226	16	242	14	2	16	226
March - -	226	20	246	6	1	7	239
April - -	239	9	248	2	2	4	244
May - -	244	7	251	5	1	6	245
June - -	245	14	259	4	1	5	254
July - -	254	13	267	2	-	2	265
August - -	265	1	266	-	-	-	266
September -	266	2	268	5	2	7	261
October -	261	18	279	12	-	12	267
November -	267	8	275	10	1	11	264
December -	264	14	278	5	104	109	(a) 169
TOTALS - -	-	141	-	73	134	187	—

FIRST HALL, CIVIL COURT.

1837.	Remaining pending at the end of preceding Month.	Introduced in each Month.	Total.	Disposed of			Remained at the end of each Month.
				By Decision.	Cession, Desertion, &c.	Total.	
January - -	486	62	548	64	38	102	446
February -	446	68	514	70	8	78	436
March - -	436	65	501	79	6	85	416
April - -	416	32	448	16	2	18	430
May - -	430	100	530	80	40	120	410
June - -	410	65	475	47	8	55	420
July - -	420	24	444	28	4	32	412
August - -	412	12	424	4	-	4	420
September -	420	62	482	49	33	82	400
October -	400	106	506	76	13	89	417
November -	417	90	507	64	17	81	426
December -	426	58	484	48	10	58	(b) 426
TOTALS - -	-	744	-	625	179	804	—

(a) Of this number,

1	introduced in	1830
2	ditto	1832
2	ditto	1833
9	ditto	1834
2	ditto	1835
7	ditto	1836
30	ditto	1837
116	in which the written pleadings were not concluded	
169		

(b) Of this number,

1	introduced in	1831
4	ditto	1834
2	ditto	1835
28	ditto	1836
179	ditto	1837
212	in which the written pleadings were not concluded	
426		

SECOND HALL, CIVIL COURT.

1837.	Remaining pending at the end of preceding Month.	Introduced in each Month.	Total.	Disposed of			Remaining at the end of each Month.
				By Decision.	Cession, Desertion, &c.	Total.	
January - -	40	92	132	67	26	93	39
February -	39	87	126	65	20	85	41
March - -	41	70	111	70	10	80	31
April - -	31	30	61	- - -	2	2	59
May - -	59	80	139	82	18	100	39
June - -	39	66	105	49	19	68	37
July - -	37	21	58	15	5	20	38
August - -	38	8	46	- - -	1	1	45
September -	45	82	127	59	23	82	45
October - -	45	124	169	57	23	80	89
November -	89	83	172	79	22	101	71
December -	71	53	124	63	17	80	(*a*) 44
TOTALS - -	- - -	796	- - -	606	186	792	—

(*a*) All introduced within the year.

COMMERCIAL COURT.

1837.	Remaining pending at the end of preceding Month.	Introduced in each Month.	Total.	Disposed of			Remaining at the end of each Month.
				By Decision.	Cession, Desertion, &c.	Total.	
January - -	55	34	89	15	14	29	60
February -	60	24	84	20	7	27	57
March - -	57	20	77	20	7	27	50
April - -	50	5	55	6	1	7	48
May - -	48	29	77	12	7	19	58
June - -	58	24	82	14	5	19	63
July - -	63	21	84	17	3	20	64
August - -	64	17	81	10	3	13	68
September -	68	36	104	15	25	40	64
October - -	64	37	101	35	9	44	57
November -	57	39	96	34	9	43	53
December -	53	22	75	20	5	25	(*b*) 50
TOTALS - -	- - -	308	- - -	218	95	313	—

(*b*) Of this number,

1	introduced in - - - - - -	1827
1	ditto - - - - - - -	1829
1	ditto - - - - - - -	1832
2	ditto - - - - - - -	1834
1	ditto - - - - - - -	1835
3	ditto - - - - - - -	1836
27	ditto - - - - - - -	1837
14	in which the written pleadings are not concluded.	
50		

REPORT ON THE OFFICES OF ATTORNEY GENERAL AND QUEEN'S COUNSEL.

My Lord, Malta, 19 April 1838.

Report on Offices of Attorney-General, &c.

We intimated in our Report on the Maltese Appellate Courts, that we should recommend the immediate abolition of the offices of Attorney-general and Queen's Counsel; and the immediate substitution for those officers, of a Crown Advocate, with an English assistant. The object of the present Report is to recommend this measure, and to explain our reasons for recommending it.

Powers and duties of the Attorney-general and Queen's Counsel. Appointments of certain persons to the offices of Attorney-general and Queen's Counsel, with their respective salaries.

We preface our explanation of these reasons, with a short statement of the powers and duties of the Attorney-general and Queen's Counsel, as the same may be gathered from the proclamation of the 14th of August 1832, by which his Majesty's appointment of an Attorney-general for Malta was announced, and from the despatch of the 1st of April 1835, which accompanied the King's instructions creating a Council of Government in the island.

The proclamation, after reciting his Majesty's appointment of an Attorney-general, declares that the offices of Advocate-fiscal, Crown-advocate, Assistant Crown-advocate, and Joint Crown-advocates, shall be abolished; that the duties of those officers, with the powers requisite for the performance of those duties, shall be vested in the Attorney-general; and that the Attorney-general is the legal adviser of the government, and shall have pre-audience of the whole bar in all courts of justice. The proclamation further declares, that the Attorney-general shall be assisted in his duties by advocates of the Maltese bar, to be selected by the local government, and to be designated King's Counsel; that these officers, by virtue of their offices, shall have audience in all courts of justice next after the Attorney-general, according to their seniority as King's Counsel; and that all courts of justice shall recognise them, when acting on behalf of the government, as the representatives of the Attorney-general.

In the despatch of the 1st of April 1835, it is directed by Lord Aberdeen, his Majesty's Principal Secretary of State for the Colonies, that whenever the Governor may deem it necessary to issue any ordinance, public order, or proclamation, of a legislative nature, he shall cause the Attorney-general to prepare the draft of it; and that the Attorney-general shall also prepare the drafts of any such material alterations in his original draft as any discussion in the Council of Government upon it may render it expedient to introduce into it.

It results from the proclamation, and the direction in the despatch, that the Attorney-general is the legal adviser and the advocate of the government; and that the Queen's Counsel are his assistants and representatives in those capacities.

By letters patent of the 5th of July 1832, issued under the great seal of the island, (previously to the promulgation of the above-mentioned proclamation,) the present Attorney-general was appointed to that office. By a government notice of the 14th of August 1832, (issued simultaneously with the above-mentioned proclamation,) it was announced that Dr. Emmanuele Caruana and Dr. Benedetto Bardon had been appointed King's Counsel for Malta; and that Dr. Odoardo Dingli had been appointed King's Counsel for the Island of Gozo.

The

The salary of the Attorney-general is 800*l.* a year; besides which, he has an allowance of 37*l.* 10*s.* for office rent. Dr. Caruana receives 217*l.* 18*s.* a year; Dr. Bardon receives 175*l.* a year; and the Queen's Counsel for Gozo has a yearly salary of 51*l.* 9*s.* Report on Offices of Attorney-General, &c.

Having stated the powers and duties of the Attorney-general and Queen's Counsel, the appointment of certain persons to those offices, with the yearly pay of the Attorney-general, and the yearly salary of each of the Queen's Counsel, we proceed to explain our reasons for recommending the immediate abolition of the office of Attorney-general. These reasons may be stated shortly; since they nearly tally with the reasons for the immediate abolition of the office of Chief Justice, which we have given in our Report on the Maltese appellate courts. Expediency of abolishing the office of Attorney-general.

The principal reason is the needlessness of the office; which will appear sufficiently from the following statement of the business done by the Attorney-general:

The duties incumbent upon him may be divided into two classes: first, the duties incumbent upon him as the principal legal adviser of the government; secondly, the duties incumbent upon him as the principal advocate of the government (or as the principal person bound to appear for the government before the courts of justice).

The principal duties incumbent upon him as the legal adviser of the government, may be referred to the following heads:—1. The duty of advising the government on its legislative measures, and of preparing the drafts of the ordinances, and other legislative acts, for carrying such measures into effect. 2. The duty of advising the government on the expediency of its instituting actions (civil or criminal), or defending actions brought against it; and of preparing and arranging the pleadings and evidence, which, on the institution or defence of an action, it may be necessary for the government to produce. 3. The duty of advising the government on non-contentious questions arising from the existing law; and of drawing or settling any conveyance, contract, or other legal instrument, which, on any such question arising, it may be necessary for the government to prepare.

The number of the drafts of proclamations, ordinances, and other legislative acts prepared by the Attorney-general, since his appointment on the 5th of July 1832, is only 21; that is to say, about four a year. To this it may be added, that many of these drafts were short and simple (as may be seen from the statement in the Appendix); and, therefore, could have been prepared with little or no difficulty. We believe, upon good authority, that the whole, or the larger part of the business, falling under the second and third of the heads enumerated in the preceding paragraph, which has been done ostensibly by the Attorney-general since his appointment, has been done substantially by the Queen's Counsel. Indeed, it could not have been done substantially by the Attorney-general himself; for, owing to his necessarily imperfect knowledge of the law of Malta, he could not have applied it to questions arising out of it, without falling into frequent mistakes. *See* the Appendix, No. 1.

The duties incumbent upon the Attorney-general, as the advocate of the government, have always been performed by the Queen's Counsel. Nor could the Attorney-general have performed them; since, as an Englishman, he is almost necessarily unable to speak the Italian language with the fluency and correctness which are requisite for forensic purposes.

It is, we may add, the opinion of the government, and the general opinion of the bar and the public, that the office of Attorney-general is nearly a sinecure. It is certain, moreover, that the present Attorney-general has been away from the island since the month of August 1837 down to the present month of April 1838; and that, during this period of eight months, the law business of the government has not sensibly suffered in consequence of his absence.

Another reason for the immediate abolition of his office is the excessiveness of his pay. Although his office is nearly a sinecure, and his duties are substantially performed by the Queen's Counsel, his pay is nearly four times as large as that of the best paid amongst them. The Attorney-general receives a yearly salary of 800*l.*, with a yearly allowance of 37*l.* 10*s.* for covering the expenses of an office; whilst the respective yearly salaries of the three Queen's Counsel are 217*l.* 18*s.*, 175*l.*, and 51*l.* 9*s.* His yearly pay, moreover, is nearly twice as large as the yearly pay (428*l.* 12*s.*) of the best paid Maltese judge; and is at least twice as large as the largest income ordinarily made at the Maltese bar by any private practitioner.

Though the office of Attorney-general is nearly a sinecure, some such objection as the following may be made to the abolition of it. It may be said that the law of Malta would be greatly improved by the introduction into it of principles and rules from the law of England; that the Attorney-general is the principal legal adviser of the government; and that if the office were filled by an English lawyer, he could introduce such principles and rules (in the way of direct legislation) through legislative acts of the government.

We will answer this objection by a recapitulation of the arguments with which we have met the analogous objection to the abolition of the office of Chief Justice.

To induce an English lawyer to accept the office of Attorney-general, the government must give him a salary equal or approaching to the salary which the Attorney-general receives at present; and though this salary is exorbitant, as tried by Maltese standards, no English lawyer of distinguished talents and acquirements could be tempted to accept the office by a salary considerably larger. This last argument applies to the case of the Attorney-general still more strongly than to that of the Chief Justice; inasmuch as the actual pay received by the former officer is scarcely more than the half of the pay actually received by the latter.

And, speaking generally, an English lawyer, even of first-rate ability, would be but ill-qualified for the delicate and difficult task of introducing principles and rules from the law of England into the law of Malta. We have shown in our Report on the Maltese appellate courts, that an English lawyer of first-rate ability, filling a legal office in this island, would not be able to acquire an extensive and accurate knowledge of its system of jurisprudence: that, without this extensive and accurate knowledge, he could not estimate the expediency of introducing into the system, principles and rules from the law of England; or, at the least, could not introduce them into the system, so as to make them harmonize with the rest of its provisions, and to render them easily intelligible to the native lawyers: that the number of the principles and rules of the civil and criminal law of England, which could be introduced advantageously into the law of Malta, has been greatly exaggerated: that many of the principles and rules of the law of England, which could have been introduced advantageously into the law of Malta, have been introduced into it already; and that an ordinary Maltese lawyer would be better qualified than a first-rate English lawyer to adapt the rest of them to the Maltese system of jurisprudence: that the important improvements of which the law of Malta is susceptible, are not to be made by importing into it principles and rules from the law of England; and that any Maltese lawyer endowed with fair abilities, possessing a fair share of general information, and knowing and impartially estimating the existing law of his country, would be better qualified for making those improvements than an English lawyer of first-rate talents and acquirements.

Consequently, the office of Attorney-general ought not to be perpetuated in Malta, for the purpose of securing to the inhabitants of the island the services of an English lawyer in the character of a legislator. As a mere adviser of the government on questions arising from the actual law of the island, a first-rate English lawyer, filling the office of Attorney-general, would clearly be inferior to

to a native lawyer of ordinary capacity and attainments. For (as we have shown in the same Report), he would know less than an ordinary native lawyer of the Maltese system of jurisprudence; and would also be comparatively ignorant of many collateral matters, a knowledge of which is necessary to a just understanding of the system, and still more to a just application of it. The argument afforded by his comparative ignorance of the Maltese system of jurisprudence, applies to the case of the Attorney-general still more strongly than to that of the Chief Justice. About a third of the cultivated land in the island is owned by the government; so that the Attorney-general may frequently be called upon to advise it on legal questions arising from the law of immoveables. Now, of all the branches of the Maltese system of jurisprudence, the law of immoveables is naturally the most abstruse, and the most hard to acquire; although it may be less encumbered by artificial intricacies and difficulties than the English law of real property.

As a mere adviser of the government on questions arising from the actual law of the island, a first-rate English lawyer, filling the office of Attorney-general, would, therefore, be mischievous or inefficient. If he were unconscious of his incapacity to advise upon questions of the sort, he would tender advice to the government which perhaps might mislead it; and if he were conscious of his incapacity, he would leave his duties of adviser to be done by his Maltese assistants, and, therefore, would be inefficient. It is hardly necessary to add, that his comparative want of skill in the use of the Italian language would unfit him for doing his duty as the advocate of the government, or for doing it nearly so well as an ordinary Maltese lawyer.

We would briefly remark, before we quit the topic under consideration, that in our Report to your Lordship of the 19th of February last, we assigned reasons for the employment of Maltese in most of the superior administrative offices; and that these reasons, as well as the special reasons assigned in the present Report, may be urged against the employment of an English lawyer in the capacity of Attorney-general in this island.

It may be said, however, that the office of Attorney-general ought not to be abolished, admitting the validity of the foregoing reasons for the measure; for the presence of an English lawyer, in an official capacity, is a useful restraint upon the military government of the island, and imbues its legislation and administration with the free spirit of British institutions. For what (it appears to us) is a sufficient refutation of this objection to the measure, we refer to the paragraph in our Report on the Maltese appellate courts, in which we have considered the analogous objection to the abolition of the office of Chief Justice.

It may be objected, moreover, to the abolition of the office of Attorney-general, that questions of English law may present themselves occasionally to the Maltese courts of justice, or to the Governor as administering the local government; that such questions could not be resolved conveniently, unless an English lawyer were present in the island; and that the existence of the office of Attorney-general secures the presence of an English lawyer, inasmuch as an English lawyer fills it in practice.

We will answer this objection by a recapitulation of the arguments with which we have met the analogous objection to the abolition of the office of Chief Justice.

In the first place, such questions present themselves rarely. In the next place, the opinion of a first-rate English lawyer in London could be obtained upon any such question, with little delay or other inconvenience. Lastly, we recommend in the present Report, that Mr. Fletcher, an English attorney, who is the secretary in the Bankruptcy Court and the secretary to the suspended code commission, shall be appointed English assistant to the Crown Advocate. Now, assuming that Mr. Fletcher's opinion upon any such question would not be as worthy of reliance as that of any English lawyer likely to fill the office of Attorney-general, still, (as we have already remarked), the opinion of a first-rate English lawyer in London could be obtained upon any such question, with little delay or other inconvenience; and in case the local government, on any

Report on Offices of Attorney-General, &c.

such question presenting itself, should resolve to take the opinion of any such lawyer, Mr. Fletcher would certainly be competent to state the question for his opinion, with the requisite completeness and accuracy.

Expediency of abolishing the offices of Queen's Counsel; and of substituting for the offices of Attorney-general and Queen's Counsel, the office of Crown Advocate.

If the office of Attorney-general were abolished, and the offices of Queen's Counsel remained, the Queen's Counsel would perform the functions of legal adviser and advocate to the government. It appears to us, however, that these functions may and ought to be performed, in the ordinary course of government business, by a single officer; and that when such business is unusually large, or, for any other reason, is unusually pressing, he ought to be assisted by private legal practitioners employed and feed for the extraordinary occasion. Accordingly, we shall recommend the substitution of a single officer, bearing the title of "Crown Advocate," for the present Attorney-general and Queen's Counsel. For the reasons which we have assigned in showing the expediency of abolishing the office of Attorney-general, we think that the Crown Advocate should be a Maltese lawyer. Although we shall recommend, in the supplement to this Report, that the lowest salary of a Maltese judge shall amount to 400 *l.* a year, we think that the salary of the Crown Advocate should not exceed 300 *l.* a year; since he would enjoy the advantage, from which the judge is debarred, of adding to his official remuneration by private practice.

Recommendations.

Having endeavoured to prove that the offices of Attorney-general and Queen's Counsel ought to be immediately abolished, we submit to your Lordship the following recommendations. We recommend,

1. That the offices of Attorney-general and Queen's Counsel shall be immediately abolished.

2. That, on the abolition of those offices, a government officer, bearing the title of "Crown Advocate," shall be appointed; and that he shall perform the duties (and possess the powers requisite for the performance of those duties) which have heretofore been performed (and possessed) by the Attorney-general and Queen's Counsel.

3. That the Crown Advocate shall receive a salary not exceeding 300*l.* a year.

4. That an English assistant to the Crown Advocate shall be appointed, with a salary of 200*l.* a year.

5. That Mr. Fletcher, the secretary in the Bankruptcy Court and the secretary to the suspended code commission, shall be appointed such assistant.

If the foregoing recommendations were carried into effect, the functions of legal adviser and advocate to the government would be performed more cheaply, and not less efficiently, than they are performed at present. The salaries received by the Attorney-general and Queen's Counsel are 837*l.* 10*s.*, 217*l.* 18*s.*, 175*l.*, and 51*l.* 9*s.*; amounting, in all, to 1,281*l.* 17*s.* The salaries received by the Crown Advocate and his assistant would amount together to 500*l.* The salaries, therefore, of the Crown Advocate and his assistant would be less than those of the Attorney-general and Queen's Counsel by 781*l.* 17*s.* From this annual saving of 781*l.* 17*s.* must be deducted the annual allowance which it might be expedient to make to the Crown Advocate for copying and stationery. We propose, however, that this allowance shall not exceed 50*l.*; since it is not our purpose to recommend that he shall be placed at the head of a formal department, with an establishment of clerks and messengers.

The duties which would be incumbent upon the Crown Advocate appear sufficiently from preceding parts of the Report.

The duty of the assistant to the Crown Advocate would be that of assisting his principal generally; and he would be directly responsible to his principal, as his principal would be directly responsible to the government.

We

We would remark, in support of the fifth recommendation in particular, that Mr Fletcher has been in Malta many years; is well acquainted with the Italian language; has practised as a procurator in the Maltese courts; is secretary in the Bankruptcy Court; and has acted as secretary to the suspended, and to the preceding code commission. He therefore would be well qualified to assist the Crown Advocate generally, and especially in making the English versions of drafts of ordinances and other legislative acts. Our opinion of his competency to advise the government upon questions of English law, or to assist it in obtaining such advice, we have given already.

The proposed salary of 200*l.* is so moderate that we think it unnecessary to assign any special reason for recommending it. It may, however, be remarked, that he has no salary as secretary in the Bankruptcy Court, and that the annual amount of the fees which he receives in that capacity does not exceed 50*l.*; not to mention, that his office would be liable to abolition without compensation, in case the Bankruptcy Court underwent the reform which is generally desired by the trading classes in the island.

In the Supplement to the present Report, we insert a statement of the present salaries of the judges in the superior courts, and of the Crown lawyers; with a statement of the salaries of the judges in the superior courts, and of the Crown lawyers, as the same would stand according to the recommendations in the present Report and our Report on the appellate courts.

We append, moreover, to the present Report, an account of the expenses caused by the successive commissions appointed to form codes of law for Malta.

See Appendix, Nos. 2 and 3.

We have, &c.

John Austin,
George Cornewall Lewis.

To the Lord Glenelg,
&c. &c. &c.

Report on Offices of Attorney-general, &c.

SUPPLEMENT to the foregoing REPORT.

Present Salaries of the Judges in the Superior Courts, and of the Crown Lawyers.

		Annual Salaries.
		£. s. d.
Sir John Stoddart, Chief Justice:		
Salary	1,500 – –	1,600 – –
House, rent free, valued at	100 – –	
Maltese Judges:		
Dr. Randon		428 12 –
Sir Claudius Bonnici		428 12 –
Sir Ignatius Bonavita		428 12 –
Dr. Vella		428 12 –
Dr. Satariano		350 – –
Dr. Dingli		308 10 –
	£.	3,972 18 –

	£. s. d.	
Mr. Langslow, Attorney-general:		
Salary	800 – –	837 10 –
Allowance for office	37 10 –	
Queen's Counsel:		
Dr. Caruana: Salary	192 18 –	217 18 –
Allowance for reporting on petitions	25 – –	
Dr. Bardon: Salary	150 – –	175 – –
Allowance as above	25 – –	
Dr. Mercieca		51 9
	£.	1,281 17 –

Proposed Salaries of the Judges in the Superior Courts, and of the Crown Lawyers

	Annual Salaries.
	£. s. d.
President of the Court of Appeal	600 – –
Two Judges of the Court of Appeal, at 450 *l.* each	900 – –
Three Judges of the Courts of First Instance, at 400 *l.* each	1,200 – –
[*N. B.*—The Judges of the Courts of First Instance, now receiving 428 *l.* 12 *s.* a year, to continue to receive the same salary.] £.	2,700 – –
Crown Advocate	300 – –
English assistant to the Crown Advocate	200 – –
	500 –
The Crown Advocate, with his assistant, to be allowed a maximum charge for stationery, copying, and incidents, of 50 *l.* per annum	50 – –
£.	550 – –

COMPARISON OF CHARGE.

	Present.	Proposed.	Saving
	£. s. d.	£. s. d.	£. s. d.
Judges in Superior Courts - -	3,972 18 –	2,700 – –	1,272 18 –
Crown Lawyers - - - -	1,281 17 –	550 – –	731 17 –
TOTAL per Annum - - - £.	5,254 15 –	3,250 – –	2,004 15 –

From the yearly saving of 2,004*l.* 15*s.*, which would result from the adoption of the recommendations in our Report on the appellate courts and the present Report, must be deducted the compensation allowances, which, of course, would be made to the judicial and other legal officers whose offices would be abolished if the recommendations were carried into effect. The clear saving, however, would amount ultimately to the above-mentioned sum of 2,004*l.* 15*s.* yearly.

John Austin.
G. C. Lewis.

Appendix, No. 1.

STATEMENT of Proclamations, Ordinances, &c., prepared by the Attorney-general, since his Appointment to the Office, on the 5th of July 1832; made up from the Records of the Chief Secretary to Government.

1. PROCLAMATION:—Abolishing certain Offices, declaring the Duties, Powers, &c. of the Attorney-general, and establishing King's Counsel in these Possessions.—Promulgated 14 August 1832.

2. Proclamation:—A declaratory Law as to the effect of the Liberation from Custody of Prisoners charged with Offences.—Promulgated 25 Sept. 1832.

3. Proclamation: A Law for extending the Criminal Jurisdiction of the Magistrates of Gozo and Comino.—Not Enacted.

4. Proclamation:—A Law for amending the Laws establishing Tribunals for the determination of doubtful points of Law in Criminal Cases.—Not Enacted.

5. Proclamation:—A Law to amend the Laws regulating the admission of Parties to sue or defend Actions in *formâ pauperis*.—Promulgated 7 January 1834.

6. Proclamation:—A Law for the Amendment of the Law as to Appeals from His Majesty's Commercial and Civil Courts.—Promulgated 7 January 1834.

7. Proclamation:—A Law abolishing the Power of the Courts to order and award the specific performance of Promises and Contracts of Marriage, and affording another Remedy for the Breach thereof.—Promulgated 28 June 1834.

8. Proclamation:—A Law for the Relief, in certain cases, of Persons sued by Paupers.—Promulgated 25 November 1834.

9. Proclamation:—A Law to enable the Magistrates to compel more effectual security against Breaches of the Peace, and for Good Behaviour.—Promulgated 26 March 1835.

10. Proclamation:—A Law to amend and render more efficacious the Law now in force for regulating Sales of Grain, and better to enable the Committee for declaring the Averag Prices to perform their duty.—Promulgated 11 April 1835.

11. Proclamation:—A Law to regulate the planting and cultivation of Trees within these Possessions.—Promulgated 23 April 1835.

12. Proclamation notifying the creation and establishment of a Council of Government within these Possessions.—Promulgated 1 May 1835.

13. Proclamation notifying the names of the Members composing the Council of Government in these Possessions.—Promulgated 12 October 1835.

14. An Ordinance for removing doubts concerning the jurisdiction of the Court of Special Commission.—Passed 29 July 1836.

15. An Ordinance for Cleansing the cities of Valletta, Vittoriosa and Senglea, and the suburb of Floriana.—Not enacted.

Report on Offices of Attorney-General, &c.

Appendix, No. 1.

16. An Ordinance for authorizing the summoning of Persons to give Evidence before the Council of Government.—Passed 30 March 1837.

17. An Ordinance for regulating the appointment and attendance of Merchants as Consuls in the Courts of Law.—Passed 4 April 1837.

18. An Ordinance to alter, amend, and render more effectual an Ordinance regulating the appointment and attendance of Merchants as Consuls in the Courts of Law.—Passed 17 May 1837.

19. An Ordinance for the naturalization of Dr. Constantino Schinas.—Passed 17 May 1837.

20. An Ordinance for the prevention, as far as may be possible, of the spreading of the disease of the nature of or resembling Cholera, which has lately appeared within these Possessions.—Passed 23 June 1837.

21. An Ordinance for continuing, for a limited period, the provisions of the Ordinance of the 23d June last, rendered necessary by the appearance within these Possessions of the disease resembling Cholera.—Passed 24 July 1837.

(signed) *H. Greig*,
Chief Secy to Govt

Chief Secretary's Office,
Malta, 16 April 1838.

Appendix, No. 2

Appendix, No. 2.

EXTRACT from an Account Current for JUDICIAL FEES of the Supreme Council of Justice.

"27 February 1822.—BY cash paid to the Chief Secretary to Government, the amount of expenses incurred by him in travelling from Malta to England and back, in conjunction with Sir J. N. Zammit, and other charges during their residence for three months in England; they having been ordered thither by His Excellency the Governor, in concert with His Majesty's Secretary of State, on the public service of this Government, and principally with a view of arranging, with the assistance of the law officers in England, the basis of a new Penal Code for these Possessions: Scudi 10,705. 7. 12."

Equal, at the rate then of 4 *s.* 3½ *d.* the current dollar, to £. 918. 18. 0.

A true Extract,
(signed) *Wm Hy Thornton*,
Audr Genl.

Appendix, No. 3.

Appendix, No. 3.

AN ACCOUNT of the EXPENSES of the successive COMMISSIONS appointed to form New Codes of Law for the Island of *Malta* and its Dependencies, from the 15th November 1831 (the date of the first of these Commissions,) to the 31st December 1837.

	Sums Paid.	Amount each Year.
1831:	£. s. d.	£. s. d.
Travelling expenses of Baron Field, esq., Chief Justice of Gibraltar, a Member of the Commission, and his expenses while in Malta. (*N.B.* This service was preliminary to the date of the Commission.)	133 4 –	
Salary of Mr. Francesco Onofrio, Clerk to the Commission	6 5 –	
		139 9 –
1832:		
Expenses incurred by John Kirkpatrick, esq., a Member of the Commission, on coming from and returning to Corfu, and during his residence in Malta at two different periods	304 14 – ¾	
To Messrs. Henry Fletcher and Vincenzo Mamo, 100*l.* each, on account of their services as Secretaries to the Commission	200 – –	
On account of Mr. Onofrio's salary	37 10 –	
		542 4 –

(*continued*)

	Sums Paid.	Amount each Year.
1833:	£. s. d.	£. s. d.
Reimbursed Mr. Field, for postages	3 16 4½	
A year's rent of a house hired for the residence of Mr. Kirkpatrick	83 6 8	
A further allowance of 100*l.* each to Messrs. Fletcher and Mamo	200 – –	
On account of Mr. Onofrio's salary	62 10 –	
		349 13 –½
1834:		
A further allowance of 100*l.* each to Messrs. Fletcher and Mamo	200 – –	
Balance of Mr. Onofrio's salary, at 50*l.* per annum, to 30th June	25 – –	
		225 – 1
1835:		
Mr. Onofrio's salary for July 1834	4 3 4	
Balance of Mr. Fletcher's remuneration under the first Commission	150 – –	
Balance of Mr. Mamo's remuneration under the same Commission	100 – –	
Salaries under the new Commission, from 1st December 1834, established as follows:—		
Two Members, on their salaries as Judges:		
Dr. Guis[e] F. Falzon, a Member £. 128 12 –		
Dr. Filippo Torregiani, a Member, salary as Advocate for the Poor, made up to 128*l.* 12*s.* 45 5 –		
To a substituted Magistrate in Gozo, for Dr. Francesco Chapelle, a Member 128 12 –		
Mr. Henry Fletcher, Secretary 150 – –		
Mr. Vincenzo Mamo, Secretary 150 – –		
Mr. Ettore Zimelli, Clerk 50 – –		
Per Annum £. 652 9 –		
Thirteen months; at which rate, paid in 1835	706 16 5	
		960 19 9
1836:		
The Establishment above specified	652 9 –	
A Messenger, from 1st December	2 10 –	
Incidental remuneration	4 3 4	
Compensation to Sir Ignatius Bonavita, a Member of the Commission, for his expenses to, from, and in London, on the service of the Commission	460 3 1	
		1,119 5 5
1837:		
The Establishment above specified	652 9 –	
Deduct, during a temporary vacancy in the substituted Magistrate in Gozo	32 9 11	
	619 19 1	
A Messenger for the year	30 – –	
		649 19 1
TOTAL £.		3,986 10 4¼

The above exclusive of the expense for stationery, printing, law books, and office furniture.

(signed) *Wm Hy Thornton,*
Audr Genl.

Valletta, 7 April 1838.

Copy of a DESPATCH from Lord *Glenelg* to Lieutenant-General Sir *H. Bouverie*, K. C. B.

(No. 311.)

Sir, Downing-street, 10 Nov. 1838.

I HEREWITH transmit to you two Reports from the Commissioners of Inquiry into the Affairs of Malta, dated on the 18th and 19th of April in the present year. The first of these Reports relates to the constitution of the Maltese appellate courts; the second, to the constitution of the offices established for the assistance of the Governor in the administration of those affairs in which legal advice or co-operation is necessary.

18 April 1838. Report on Appellate Courts.

19 April 1838. Report on offices of Attorney-general and Queen's Counsel.

These reports reached me in the month of May last, and engaged my immediate attention. The result of much consideration was to convince me that the recommendations of the Commissioners, as originally framed, could not be acted upon without some serious inconvenience. I therefore waited the return of Mr. Austin, in the expectation that I should receive from him oral information, which would either correct or confirm the impression which I had thus derived from the perusal of the Reports in their original form. Shortly after that gentleman's arrival in England, various conferences were accordingly held between the Commissioners and myself, assisted by the Lord Chancellor, whose judgment upon questions of this nature is of course entitled to the highest authority. Having received a full statement of the difficulties which had suggested themselves, the Commissioners requested permission to withdraw their original Reports, with a view to making such amendments as upon a reconsideration of the whole subject should appear to them desirable. After mature reflection, the Commissioners returned their Reports to me in the form in which they now appear. The original dates are retained, and the amendments are not distinguished, nor am I aware that there was any sufficient motive why such a distinction should be made.

It is satisfactory that on this most important subject, I am enabled to communicate these Reports to you for your guidance, without the necessity of qualifying in any respect my adoption of the recommendations which they embrace.

I have communicated to Mr. Langslow the decision of Her Majesty's Government to abolish the office of attorney-general of Malta. His claims to a retired allowance will be considered by the Lords Commissioners of the Treasury.

You will take the earliest opportunity of apprising Sir John Stoddart that the office of chief justice will be abolished from the 1st of January 1839, to make way for the new judicial establishment recommended by the Commissioners. In conveying to him that intelligence, you will add the assurance that the decision has been suggested solely by considerations of general policy.

It will be my duty to bring before the Lords Commissioners of the Treasury Sir John Stoddart's claim to a retired allowance, with a recommendation of it to their Lordships' most favourable consideration.

As the existing constitution of the Maltese courts and of the attorney-general's office is regulated by local enactments, it will be desirable that, in the first instance at least, the proposed changes should be introduced under the same authority. You will cause ordinances for this purpose to be drawn up, and submitted to the Council of Government, and for this service Sir Ignatius Bonivita would appear to be peculiarly qualified. If the ordinances should be passed in substantial accordance with the views of the Commissioners, they may be made to take immediate effect, though subject of course to the approbation of Her Majesty in Council.

I have, &c.
(signed) *Glenelg.*

REPORT on the Departments of the Chief Secretary and the Auditor-General.

Report on Departments of Chief Secretary and Auditor General.

My Lord, Malta, 21 April 1838.

We annex to this Report a statement of the establishments which we propose for the departments of Chief Secretary and Auditor-general, together with a statement of the existing establishments for the same departments.

The annual expense of the present establishments is 4,676 *l.* 9 *s.*; the annual expense of the proposed establishments is 3,995 *l.*

We recommend that the office of superintendent of the island post-office shall be immediately abolished, and that the duties of it shall be performed by the second assistant in the chief secretary's office. We propose that the salary of the second assistant shall be raised from 285 *l.* 14 *s.* to 350 *l.* a year.

The second assistant holds the place of registrar of the Supreme Council of Justice, which is incompatible with the due performance of his duties in the chief secretary's office; and we propose the above-mentioned increase in his salary on the supposition that the Supreme Council of Justice, with the office of registrar to it, will be abolished in pursuance of the recommendations in our Report of the 18th instant on the Maltese Appellate Courts. We suppose, moreover, that he will perform the duties of registrar to the Supreme Council of Justice, until its jurisdiction shall have ceased, as is mentioned in the recommendation in that Report, marked III. 3.

Mr. Sim, the first assistant in the chief secretary's office, now receives a salary of 500 *l.* a year, and is allowed a government house, valued at 20 *l.* a year, on payment of a third of the full rent. He receives a part of his salary as clerk to the Council of Government. We recommend that the allowance of a government house, at a third of the yearly value, shall be commuted into a yearly payment equal to two-thirds of the yearly value, and that Mr. Sim shall pay the full rent of the house so long as he shall continue to occupy it. We recommend, further, that when the office of first assistant shall become vacant, the salary attached to it shall be fixed at 400 *l.* a year, without any additional allowance.

We also propose that the salaries of the clerks in the chief secretary's office shall be somewhat increased; and that the allowances of government houses, which some of them now receive, shall cease.

In our opinion, the establishment of the Government printing-office ought to be broken up shortly after the promulgation of the ordinances for granting a liberty of printing and publishing, agreeably to the recommendations contained in our Report upon that subject.

If the Government should be compelled to print any paper at its own press, it could employ compositors and pressmen for the particular occasion.

We have only to remark on the proposed establishment of the audit-office, that we recommend a small increase in the salary of Mr. Thornton, the present auditor-general. Mr. Thornton has a salary of 500 *l.* a year, with an allowance of two-thirds of the full rent of a house valued at 35 *l.* a year. We recommend that Mr. Thornton's salary shall be fixed at 600 *l.* a year, without any additional allowance. It appears to us that Mr. Thornton's long and valuable services to the Government fully entitle him to the proposed increase in his pay. We recommend, however, that when the office of auditor-general shall become vacant, the salary annexed to it shall be fixed at 500 *l.* a year, without any additional allowance.

We have, &c.

The Lord Glenelg,
&c. &c. &c.

John Austin,
G. C. Lewis.

Report on Departments of Chief Secretary and Auditor-general.

PROPOSED ESTABLISHMENT for the Chief Secretary's Office, *Malta*.

SITUATIONS.	Annual Salaries. £.	
Chief Secretary to Government -	1,000	
First Assistant and Clerk of the Council (with an allowance of 13 *l.* 6 *s.* 8 *d.* a year instead of house-rent).	500	- - The salary of the successor to the present occupant to be 400 *l.* (without any allowance for house-rent.)
Second assistant - - - -	350	- - The salary of the successor to the present occupant to be 300 *l.*
Clerk - - - - - -	180	
Clerk - - - - - -	160	
Clerk - - - - - -	130	
Clerk - - - - - -	120	
Clerk - - - - - -	100	
Clerk - - - - - -	100	
Clerk - - - - - -	70	
Messenger - - - - -	40	
Messenger - - - - -	35	
Messenger - - - - -	30	
Messenger - - - - -	30	
Post-office: First Clerk - - -	80	
Post-office: Second Clerk - -	60	
Post-office: Messenger - - -	30	
TOTAL - - - £.	3,015	

The establishment of the printing-office to be abolished.

PROPOSED ESTABLISHMENT for the Audit Office, *Malta*.

SITUATIONS.	Annual Salaries. £.	
Auditor General - - - -	600	- - The salary of the successor to the present occupant to be 500 *l.*
Senior Clerk - - - - -	150	- - The salary of the successor to the present occupant to be 130 *l.*
Clerk - - - - - -	110	
Clerk - - - - - -	90	
Messenger - - - - -	30	
TOTAL - - - £.	980	

PRESENT ESTABLISHMENT of the Chief Secretary's Office.

SITUATIONS.	Annual Salaries. £. s. d.	
Chief Secretary to Government -	1,000 – –	
First Assistant and Clerk of the Council.	500 – –	- - With the remission of 13 *l.* 6 *s.* 8 *d.* from the rent of a Government-house.
Second Assistant - - - -	285 14 –	
Clerk - - - - - -	169 15 –	- - With a Government house, rental valued 41 *l.* 13 *s.* 4 *d.*

SITUATIONS.	Annual Salaries. £. s. d.	
Clerk	125 – –	
Clerk	113 3 –	
Clerk	102 18 –	
Clerk	92 12 –	
Clerk	90 15 –	-- With the remission of 6 *l.* 13 *s.* 4 *d.* from the rent of a Government house.
Clerk	82 6 –	
Clerk	20 12 –	
Messenger	40 – –	
Messenger	35 – –	
Two Messengers at 25 *l.*	50 – –	
Messenger and distributor of the Gazette.	25 15 –	
Post-office:		
Superintendent	257 3 –	-- With the remission of 19 *l.* 8 *s.* 11 *d.* from the rent of a Government house.
First Clerk	55 – –	
Second Clerk	25 – –	
Messenger	25 15 –	
Printing-office and Gazette:		
Superintendent and Editor	257 3 –	-- With an official residence, rental valued 12 *l.*
Overseer	69 – –	
Translator	46 6 –	
Two Compositors, at 46 *l.* 6 *s.*	92 12 –	
Compositor	39 – –	
Compositor	30 – –	
Six Pressmen, at 36 *l.*	216 – –	
TOTAL £.	3,846 9 –	

PRESENT ESTABLISHMENT of the Audit Office.

SITUATIONS.	Annual Salaries. £.	
Auditor-General	500	-- With the remission of 23 *s.* 6 *s.* 8 *d.* from the rent of a Government house.
Clerk	120	
Clerk	110	
Clerk	75	
Messenger	25	
TOTAL £.	830	

	£. s. d.	£. s. d.
Present Establishment of the Chief Secretary's Office	3,846 9 –	
Audit-office	830 – –	
		4,676 9 –
Proposed Establishment for the Chief Secretary's Office	3,015 – –	
Audit-office	980 – –	
		3,995 – –
ANNUAL REDUCTION £.		681 9 –

Report on Departments of Chief Secretary and Auditor-general.

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-General Sir *H. Bouverie*.

(289.)

Sir, Downing-street, 14 September 1838.

ADVERTING to the Report which Her Majesty's Commissioners of Inquiry into the affairs of Malta have addressed to me, under date of the 21st of April last, on the departments of the Chief Secretary, and of the Auditor-General, to your Government, I have to acquaint you, that Her Majesty's Government are prepared to sanction the establishments which the Commissioners have recommended for those two offices.

I have, &c.
(signed) *Glenelg*.

Correspondence on the Ordinance for abolishing the Censorship.

EXTRACT of a LETTER from *John Austin* and *George Cornewall Lewis*, Esqrs., Commissioners for inquiring into the affairs of the island of *Malta*, to Lord *Glenelg*; dated London, December 1838.

WE have the honour of submitting to your Lordship the following papers: 1. The Draft of an Ordinance for abolishing the censorship, and for providing against abuses of the consequent liberty of publishing. 2. Notes on the Draft of the Ordinance, explaining and illustrating its provisions.

We propose to your Lordship, that, if Her Majesty's Government be pleased to approve of it, the Draft of the Ordinance shall receive the force of law. We also propose to your Lordship, that, if Her Majesty's Government be pleased to approve of them, the Notes shall be published in Malta by the Government of the Island.

Instead of attempting to render the Ordinance minutely exact, we have drawn it as succinctly as possible; endeavouring, in the Notes, to explain and illustrate its purposes, by general expositions and particular examples. Our reasons for drawing it in this form may be stated shortly as follows:

1. It was necessary for us, in drawing the Ordinance, to adopt the one or the other of the following methods: *First*, to render its enactments as few and concise as possible, and to express them in terms sufficiently extensive to include all the cases embraced by its purposes: *secondly*, to avoid, as far as possible, the use of extensive terms; and to approach, as nearly as possible, to a specification of those cases, by numerous and detailed provisions. Each of these methods has considerable inconveniences. If the former method be adopted, the terms of the law extend to all the cases which are embraced by its purposes; but its terms are large and abstruse, and, therefore, obscure. If the latter method be adopted, the attempted specification of the cases embraced by the purposes of the law, is necessarily incomplete; whilst, in consequence of the multiplicity and minuteness of its provisions, the law is long and complex, and, therefore, difficult of apprehension. It appeared to us, after much consideration, that the inconveniences of the former method were less than those of the latter; and that the inconveniences of the former might be considerably reduced by a comment on the text of the law. Accordingly, we drew the Ordinance as succinctly as possible, but in terms adequate to its purposes; endeavouring to obviate the obscurity arising from the generality of its terms, by explaining and illustrating its purposes, in notes on its provisions.

The method which we have adopted is peculiarly applicable to a law of libel. The leading notions and terms involved by a law of libel are extremely vague. It therefore is impossible to impart to them the degree of precision of which they are susceptible, by explanations inserted in the law itself; although it is possible to impart to them that degree of precision, by the fuller and clearer explanations which may be given in a comment on the text.

It is worthy of remark, that the Indian Law Commissioners, in preparing their draft of a penal code, have followed a method nearly similar to that which was adopted by us in drawing the Ordinance; and, since the Ordinance was drawn by us in ignorance of their proceedings, a considerable presumption in favour of this method is afforded by the coincidence of the two plans. We will not affirm that the method is applicable to every part of an entire code of laws; but we decidedly

decidedly think it applicable to every law involving notions and terms which are extremely abstruse or vague.

2. Owing to the existence of the censorship, a criminal law of libel has never existed in Malta for practical purposes; and, consequently, a criminal law of libel will be new to the natives of the island. It appeared to us, therefore, that the purposes and terms of the Ordinance needed full explanations for the guidance of the public generally; and particularly, for the guidance of persons concerned specially in publications of printed writings. Now as these explanations would have been imperfect and obscure, if they had been inserted in the Ordinance itself, it was necessary to give them in a comment upon it. Consequently, a comment upon it was indispensable, whatever might be the method by which we should draw it; and this consideration, when added to the considerations before suggested, was a conclusive reason for drawing it by the method which we have actually adopted.

3. Perhaps the Notes will not be strictly authoritative. But if they be published by the government of the island, agreeably to the proposal above submitted to your Lordship, they will naturally be nearly equivalent to authentic interpretations of the law, (or to interpretations of the law, proceeding directly from the legislator).

We may add to the foregoing reasons for the structure of the Ordinance, that in substance, though not in form, its provisions correspond, for the most part, to those of the English criminal law of libel. It appeared to us, however, that some of the provisions of the English law were intrinsically inconvenient, or, in relation to Malta, inapplicable or unimportant; and, consequently, there are some provisions of the English law, to which there are not in the Ordinance any corresponding provisions.

Extract of a DESPATCH from Lord *Glenelg* to Lieut.-General Sir *H. Bouverie*, K. C. B.

(343.)

Downing-street, 19 January 1839.

Amongst the most important duties which the Commissioners of Inquiry at Malta reserved for completion, on their return to this country, was the preparation of the draft of a law, to be submitted to the Council of that island, for regulating the publication of printed papers and other works. This duty has occupied much of their time and attention; and, although a very considerable interval has elapsed since it was undertaken, I have not thought it right to press them for greater despatch than was in their judgment compatible with the fullest consideration of a question necessarily attended with great difficulty. I have now received from them the draft of the law, accompanied by a series of annotations illustrative of it. I enclose copies of these papers for your information. I have to request that you will communicate them to the Council, with a view to the enactment of an ordinance based on the draft of the Commissioners, but with such modifications as may appear necessary or practicable, in order fully to adapt the law to the circumstances of Malta. The annotations which accompany the draft will be found highly useful, as explanatory of the views and intentions of the Commissioners, on several points which, without such explanation, might have been open to some doubt and exception.

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It is due to the Commissioners that I should bear my testimony to the diligence, ability and research with which their labours on this subject have been conducted. I feel, however, that the accurate local information possessed by the Council is essential to the satisfactory revision of the details of a law of this nature; to which, therefore, I have to request the careful attention of yourself and the Council, and I have no doubt that with the valuable assistance of the draft prepared by the Commissioners, an ordinance will speedily be passed calculated to answer the important object with which the draft has been framed.

Ordinance for abolishing the Censorship.

(Draft and Notes referred to in preceding Correspondence.)

DRAFT of an ORDINANCE for abolishing the Censorship, and for providing against Abuses of the consequent Liberty of Publishing.

CHAPTER I.

SECT. I.—WHEREAS printed writings, printed in these islands, are liable and subjected to the censorship immediately hereafter described; and other printed writings are liable to the same censorship, although in practice they are not subjected thereto: And whereas it is expedient that the aforesaid censorship should be abolished:—Now his Excellency the Governor, with the advice and consent of the Council of Government, hereby enacts as follows:

From the day of the promulgation of the present Ordinance, no printed writing shall be subjected or liable to the censorship which is now exercised in these islands by Her Majesty's government therein.

SECT. II.—Whereas the aforesaid censorship will be abolished by virtue of the enactment in the first section of the present chapter: And whereas a liberty of publishing printed writings (printed in or out of these islands) will result from the abolition of the aforesaid censorship: And whereas it is expedient that the provisions against abuses of the aforesaid liberty of publishing, which are contained in the second and following chapters, should be substituted for the aforesaid censorship, on the abolition thereof:—Now his Excellency the Governor, with the advice and consent of the Council of Government, hereby enacts as follows:

From the day of the promulgation of the present Ordinance, the provisions in the second and following chapters thereof shall have in these islands the force of laws.

CHAPTER II.

SECT. I.—THE only publications and contributions to publications, which are within the purposes of the present Ordinance, are publications of printed writings, and contributions to similar publications; and the only abuses of the aforesaid liberty of publishing, which are within the same purposes, are such publications of printed writings, and such contributions to similar publications, as are prohibited in the third chapter and are not exempted in the fourth.

SECT. II.—Any words printed in alphabetical or other characters, and with types or in any other manner, on one or more papers or other substances, shall be deemed, for the same purposes, a printed writing.

SECT. III.—Any delivery of a printed writing to one or more persons, or any offer to deliver it to one or more persons, shall be deemed, for the same purposes, a publication thereof.

Any exposition of a printed writing, being neither a delivery of it nor an offer to deliver it, which probably might cause it to be read by one or more persons, shall also be deemed, for the same purposes, a publication thereof.

SECT. IV.—Any act or omission causing, or helping to cause, an actual publication of a printed writing, shall be deemed, for the same purposes, a contribution to the publication.

SECT. V.—A publication and a contribution to a publication are, for the same purposes, equivalent; and any of the provisions in the third and following chapters, which in its terms is restricted to publications, extends notwithstanding to contributions to publications, unless the contrary be declared by another of the same provisions.

SECT. VI.—A publication, embraced by a prohibition in the third chapter, shall not be imputed to the publisher, as an offence against the present Ordinance, unless he published with culpable knowledge, or unless he published negligently.

He shall be deemed to have published with culpable knowledge, if, at the time of the publication, he knew that he was publishing the writing, and also knew

knew that the publication fell within the prohibition. If, at the time of the publication, he was ignorant of those facts, or either of them, but, with due attention, might have been aware of both, he shall be deemed to have published negligently. Ordinance for abolishing the Censorship.

Sect. VII.—A contribution to a like publication shall not be imputed to the contributor, as a like offence, unless he contributed with culpable knowledge, or unless he contributed negligently.

He shall be deemed to have contributed with culpable knowledge, if, at the time of the contribution, he knew that he was contributing to the publication, and also knew that the publication fell within the prohibition. If, at the time of the contribution, he was ignorant of those facts, or either of them, but, with due attention, might have been aware of both, he shall be deemed to have contributed negligently.

CHAPTER III.

Sect. I.—Any publication tending to incite a person or persons to any act embraced by either of the descriptions immediately following, is hereby prohibited.

Descriptions referred to in the first paragraph of the present section.—1. Any attempt (or endeavour) to subvert Her Majesty's government in these islands. 2. Any act tending to subvert the aforesaid government, though not being strictly an attempt to subvert it.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 24 months.

Sect. II.—Any publication tending to incite a person or persons to any act embraced by any of the descriptions immediately following, is hereby prohibited.

Descriptions referred to in the first paragraph of the present section.—1. Preventing or obstructing by violence, or by offering or threatening violence, the lawful execution, or other lawful administration, of a law (or rule of law) in force in these islands. 2. Attempting to prevent or obstruct, in the like manner, the lawful execution, or other lawful administration, of any such law (or rule of law). 3. Preventing or obstructing, in the like manner, the lawful execution of a lawful command from a person or persons employed or concerned in administering Her Majesty's government in these islands. 4. Attempting to prevent or obstruct, in the like manner, the lawful execution of any such command. 5. Disobeying with violence, or with any offer or menace of violence, any such law or command. 6. Impeding by violence, or by offering or threatening violence, any such person or persons in the lawful exercise of his or their authority. 7. Attempting to impede, in the like manner, any such person or persons in the lawful exercise of his or their authority. 8. Doing or offering violence to any such person or persons in the lawful exercise of his or their authority. 9. Destroying or damaging unlawfully, or offering to destroy or damage unlawfully, any immoveable or moveable thing possessed by the aforesaid government.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 18 months.

Sect. III.—Any publication of any writing censuring or disrespectfully mentioning Her Majesty the Queen, is hereby prohibited.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

Sect. IV.—Any publication of any writing embraced by the description immediately following, is hereby prohibited.

Description referred to in the first paragraph of the present section.—Any writing untruly imputing malversation in administering Her Majesty's

Ordinance for abolishing the Censorship.

government in these islands, to a person employed or concerned in administering the same.

But a publication shall not be within the prohibition contained in the present section, unless the writing specify the imputed malversation.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

SECT. V.—Any publication of any writing embraced by the description immediately following, is hereby prohibited.

Description referred to in the first paragraph of the present section.—Any writing reviling, ridiculing, or otherwise insulting, the person or persons at the head of a sovereign government in amity with the government of Her Majesty; or reviling, ridiculing, or otherwise insulting, the person or persons in any high office under any such sovereign government.

Any publication embraced by the description immediately following, is also hereby prohibited.

Description referred to in the third paragraph of the present section.—Any publication tending to incite a subject or subjects of any such sovereign government, to attempt the subversion thereof; or tending to incite a subject or subjects of any such sovereign government, to prevent or obstruct by violence, or by offering or threatening violence, the execution or other administration of any of its laws or other commands; or tending to incite a subject or subjects of any such sovereign government, to disobey with violence, or with any offer or menace of violence, any of its laws or other commands.

Whoever shall offend against either of the prohibitions contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

SECT. VI.—Any publication of any writing embraced by any of the descriptions immediately following, is hereby prohibited.

Descriptions referred to in the first paragraph of the present section.—1. Any writing reviling, ridiculing, or otherwise insulting, an essential or fundamental doctrine of the Christian religion: that is to say, a doctrine received by the generality of Christians of every church, society, or denomination. 2. Any writing reviling, ridiculing, or otherwise insulting, any doctrine of the Roman-catholic Church; or the government or discipline of the Roman-catholic Church, or any part of its government or discipline; or any ritual or other religious observance of Roman-catholic Christians of any class or description. 3. Any writing reviling, ridiculing, or otherwise insulting, any doctrine of the Established Church of England, or its government, discipline or rites. 4. Any writing reviling, ridiculing, or otherwise insulting, any doctrine of any church or society of Christians, other than the Roman-catholic Church, or the Established Church of England; or reviling, ridiculing, or otherwise insulting, the government, discipline or rites of any such church or society.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

SECT. VII.—Any publication of any obscene writing is hereby prohibited.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

SECT. VIII.—Any publication of any writing embraced by the description immediately following, is hereby prohibited.

Description referred to in the first paragraph of the present section.—Any writing censuring any person in a private capacity; or reviling, ridiculing, or otherwise insulting, any person in a similar capacity.

Whoever shall offend against the prohibition contained in the present section, by

by any publication within the prohibition, or by any contribution to any such publication, shall be punishable as follows. If the publication tend to defame the person censured or insulted in the writing, the offender shall be punishable with an imprisonment not exceeding the term of 12 months. If the publication have not that tendency, the offender shall be punishable with an imprisonment not exceeding the term of 6 months.

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SECT. IX.—Any publication tending to incite a person or persons to any act embraced by either of the descriptions immediately following, is hereby prohibited.

Descriptions referred to in the first paragraph of the present section.—1. Doing or offering unlawful violence to a person in a private capacity. 2. Destroying or damaging unlawfully, or offering to destroy or damage unlawfully, any immoveable or moveable thing possessed by a person in a similar capacity.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 18 months.

CHAPTER IV.

SECT. I.—A publication made in pursuance of an Act of Parliament, or in pursuance of an authority from Her Majesty, shall be exempted from the operation of any prohibition in the third chapter, in the event of its falling within the terms thereof.

A publication made in pursuance of a law (or rule of law) in force in these islands, shall be exempted from the operation of any similar prohibition, in the event of its falling within the terms thereof.

A publication made by a person or persons employed or concerned in administering Her Majesty's government in these islands, and made in the lawful exercise of his or their authority, shall be exempted from the operation of any similar prohibition, in the event of its falling within the terms thereof.

SECT. II.—If a publication of a printed report of any proceeding in a court of justice in these islands, shall fall within the terms of a similar prohibition, it shall be exempted from the operation thereof. But the publication shall not be within the exemption, unless the report shall be a fair statement of the proceeding; nor shall the publication be within the exemption, if the court shall have prohibited any publication of a printed report of the proceeding, and the report shall be published in contravention of the prohibition.

SECT. III.—If a publication of a printed report of any proceeding in either House of Parliament, or in Her Majesty's Privy Council, or in any court of justice in the United Kingdom, shall fall within the terms of a similar prohibition it shall be exempted from the operation thereof. But the publication shall not be within the exemption, unless the report, published in these islands, shall have been printed in the United Kingdom; or shall be a correct copy or a fair abridgment of a report which shall have been printed in the United Kingdom.

CHAPTER V.

SECT. I.—Every indictment for any offence against the present Ordinance shall be tried by Her Majesty's Criminal Court.

SECT. II.—If a defendant to such an indictment shall be convicted of such an offence, it shall be competent to the court to change the imprisonment to which it would condemn him as of course, into an equivalent punishment by a shorter imprisonment and a fine, or into an equivalent punishment by a fine only.

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SECT. III.—Every prosecution for any offence against the present Ordinance shall be instituted (or commenced) within the 365 days immediately following the time of the offence; and if the prosecution be instituted after the expiration of that period, it shall not be competent to the court to punish the offender for the offence, or to convict him thereof.

SECT. IV.—If a person prosecuted, under the present Ordinance, for a publication of a printed writing (or for a contribution to such a publication), shall be convicted or acquitted at the trial of the indictment, he shall not be criminally responsible for any publication of a duplicate of the writing (or for any contribution to such a publication) which may have taken place previously to the conviction or acquittal.

Notes on the Ordinance for abolishing the Censorship.

NOTES on the Draft of the ORDINANCE for abolishing the Censorship, and for providing against Abuses of the consequent Liberty of Publishing.

NOTES ON CHAPTER I.

Notes I. II. III. IV.

NOTE I.—WE begin the Notes on the Draft of the Ordinance with the following summary of its contents:

Chapter I. is divided into two sections. By Section I., the censorship is abolished. By Section II., the force of laws is given to the provisions against abuses of the consequent liberty of publishing, which are contained in Chapters II. III. IV. V.

Chapter II., which is occupied with explanations and provisions preliminary to the provisions in Chapters III. IV. V., is divided into seven sections. The abuses of the liberty of publishing, which are within the purposes of the Ordinance, are determined by Section I. The term *printed writing* is defined by Section II. The terms *publication* and *contribution to a publication* are defined by Sections III. IV.; and it is declared by Section V., that a publication and a contribution to a publication are equivalent for the purposes of the Ordinance. It is provided by Sections VI. VII., that a publication, or a contribution to a publication, embraced by a prohibition in Chapter III., shall not be imputed to the publisher or contributor, as an offence against the Ordinance, unless he published or contributed with culpable knowledge or negligently; and the notions of a publishing, and a contributing to publish, with culpable knowledge or negligently, are defined by the same Sections.

Chapter III. is divided into nine sections; and by those several sections, publications of the following descriptions are respectively prohibited. 1. Publications tending to incite to acts which tend to subvert the government. 2. Publications tending to incite to unlawful violences, which, though they may not tend to subvert the government, tend to weaken its authority. 3. Publications of writings censuring or disrespectfully mentioning Her Majesty the Queen. 4. Publications of writings untruly imputing specific misconduct to persons in public capacities. 5. Publications tending to disturb the amicable relations between Her Majesty's government and sovereign governments in amity with it. 6. Publications of writings insulting the essential doctrines of the Christian religion, or the doctrines, government, discipline or rites of any church or society of Christians. 7. Publications of obscene writings. 8. Publications of writings censuring or insulting persons in private capacities. 9. Publications tending to incite to unlawful violences to the persons or properties of persons in private capacities.

Chapter IV., which is divided into three sections, exempts from the operation of the prohibitions in Chapter III., certain publications which are within their terms, but are not within their purposes.

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Chapter V. is divided into four sections. It is provided by Section I., that every offence against the Ordinance shall be tried by the Criminal Court; and by Section II., the court is empowered to commute the punishment annexed to any such offence by any provision in Chapter III. It is provided by Sections III. IV., that every prosecution for any such offence shall be instituted within the 365 days immediately following the time of the offence; and that a person convicted or acquitted, under any such prosecution, of a libellous publication (or of a contribution thereto), shall not be criminally responsible for any publication of a duplicate of the libel (or for any contribution to such a publication) which may have taken place previously to the conviction or acquittal.

Note II.—The liberty granted by the Ordinance has been styled *the liberty of publishing*, and not *the liberty (or freedom) of the press*; for the latter expression is applicable to the liberty of printing, which will result from the abolition of the government monopoly of printing, rather than to the liberty of publishing, which will result from the abolition of the government censorship.

As the liberty of publishing, contemplated by the Ordinance, will necessarily result from the abolition of the censorship, the former is implicitly granted by the express abolition of the latter. Accordingly, although the censorship is formally abolished by the Ordinance, the consequent liberty of publishing is not formally granted by it.

The censorship is described in the enactment by which it is abolished, as "the censorship which is now exercised in these islands by Her Majesty's government therein." (*See* Section I. Chapter I.). Since the nature of the censorship is generally known through the usage or practice by which it exists, this brief description will determine it sufficiently for the purpose of the enactment. Any description of it, attempting to determine it by its nature, would probably have been defective as well as long and cumbrous.

It is hardly necessary to remark, that, since the enactment is limited to the temporal censorship, the spiritual censorship will not be affected by it.

Note III.—A formal repeal or abrogation of the existing criminal law of libel, would have been superfluous. In consequence of the existence of the censorship, there is not in practice a criminal law of libel; or, at least, there is not in practice a criminal law of libel, applicable to *printed* libels. To this it may be added, that any criminal law of libel, which may exist in theory, will be tacitly superseded by the provisions in Chapters II. III. IV. V., in respect to the subjects and purposes which the Ordinance embraces.

A formal repeal of the existing criminal law of libel, would have been dangerous as well as superfluous; for it might have affected provisions of the existing criminal law, to which its purpose would not have extended.

Accordingly, the existing criminal law of libel, applicable to printed libels, is not repealed by the Ordinance expressly and formally; although it is tacitly abrogated by the enactment in the Ordinance, which gives the force of laws to the above-mentioned provisions. (*See* Section II. Chapter I.)

Note IV.—The few explanations of terms, which are not given in the Notes on Chapters II. III. IV. V., may be given conveniently in the present place, at the close of the Notes on Chapter I.

1. The sex of a publisher of a printed writing, or of a contributor to such a publication, can hardly be pertinent to any question arising under the Ordinance. In the Ordinance, therefore, such a publisher or contributor is referred to invariably, by *he*, *his*, *him*; the masculine pronoun including the feminine, *she*, *her*.

2. A joint publication of a printed writing, or a joint contribution to such a publication, is the several publication or contribution of each of the parties to it; and if it be an offence against the Ordinance, each of the parties to it may be prosecuted severally, and ought to be so prosecuted. (*See* Note III. on Section I. Chapter V.) Accordingly, in describing a publication of a printed writing, or a contribution to such a publication, the Ordinance supposes it the act or omission of a single person. By this supposition, the Ordinance avoids the inconvenience of describing the publication or contribution as the act or omission of "a person *or* persons;" and of referring to the person or persons (in the singular and plural), by "he *or* they," "him *or* them," "his *or* their."

3. "*Her Majesty's government.*"—By this expression, as occurring in the Ordinance, is signified the government of the King or Queen reigning for the time being.

Notes on the Ordinance for abolishing the Censorship.

"*Her Majesty's government in these islands.*"—By this expression, as occurring in the Ordinance, is signified the government of Her Majesty (*i. e.* the King or Queen reigning for the time being) in the island of Malta and its dependencies. As occurring in Sections I. II. IV. Chapter III., it embraces the government in all its departments. (*See* the Notes on those Sections.) As occurring in Section I. Chapter I., it signifies more particularly the civil department of the government; since that is the department by which the censorship is exercised.

NOTES ON CHAPTER II.

Note on Section I.
Note on Section II.
Notes I. II. III. IV. on Sections III. IV. V.
Notes I. II. III. IV. on Sections VI. VII.

Note on Section I.

The liberty of publishing, contemplated by the Ordinance, results from the abolition of the censorship; and the provisions in the Ordinance, against abuses of that liberty, are a substitute for the censorship. Since the provisions, as well as the liberty itself, are, therefore, co-extensive with the censorship, they are limited to writings within the operation of the latter: namely, *printed* writings.

Hence it follows, that the provisions are not applicable to libellous offences by manuscript words; or to analogous offences by spoken words; or to analogous offences by signs other than words (as, for example, by pictures or gestures). Until the completion of the criminal code now in preparation, such libellous offences, and such offences analogous to them, must be left to the operation of the existing criminal law.

Note on Section II.

A printed writing, as defined in Section II., properly consists of the printed words, and not of the substance on which they are printed; since it is the purport of the words, and not the nature of the substance, that is relative to the purposes of the Ordinance. No attempt is made by the definition, to enumerate the *species* of the substances on which a writing may be printed, or to define their *genus*. For the reason already given, the attempt would be useless. Besides, the *species* are extremely numerous, and extremely different: as, for example, a book, pamphlet, unstitched sheet, hand-bill, card, or roll, consisting of paper, parchment, or linen. A correct enumeration of the *species*, or a correct definition of the *genus*, would, therefore, be extremely difficult, if not absolutely impossible.

It appears to us, that every *species* of printed writings, which can fall within the purposes of the Ordinance, is embraced by the definition in Section II. It may, however, be remarked, that words printed from dictation or memory, and not from a manuscript, are not strictly a printed *writing*, although they are embraced by the definition. But we think they may be included in the expression with sufficient propriety; and agreeably, as we believe, to the law-language of the French and Italians.

As printed Roman or Arabic numerals are printed signs for names of numbers, they may be deemed printed *words*.

A picture containing printed words, or to which such words are annexed, is, in respect of the words, though not as a picture, a printed writing.

"*On one or more papers or other substances.*"—A printed writing may extend through several papers or other substances: as, for example, through several sheets of paper, existing separately, or bound in one or more volumes; or through several rolls of parchment or linen.

Notes on the Ordinance for abolishing the Censorship.

Notes on Sections III. IV. V.

Note I.—If a writing be exposed (or submitted) to a person or persons (certain or uncertain), *so that it probably may be read, wholly or partly, by a person or persons* (*certain or uncertain*), the exposition of the writing may be deemed a publication of it. An exposition of the writing, not tending to produce that consequence, cannot be deemed a publication; since it probably would not convey to the public at large, or even to a single person, or limited number of persons, any knowledge of the contents of the writing, or of any of its contents.

Now any delivery of a writing, or any offer to deliver it, is such an exposition of it as tends to produce that consequence; and, accordingly, it is provided by the first paragraph of Section III., that any delivery of a printed writing to one or more persons, or any offer to deliver it to one or more persons, shall be deemed, for the purposes of the Ordinance, a publication thereof. Whether a delivery of a writing, or an offer to deliver it, was or was not a publication of the writing, can never be a question for the court, (or for any one concerned in the administration of justice), under the paragraph to which we have just referred. By the terms of the paragraph, the court will be bound to infer conclusively, (or to presume *juris et de jure*), that the delivery or offer tended to produce the consequence to which we have adverted above, and, therefore, amounted to a publication.

But there are possible expositions of a writing, (being neither deliveries of it, nor offers to deliver it,) which might or might not, according to their respective circumstances, probably cause it to be read by one or more persons. For example, the dropping of a writing (or the throwing it away) might or might not, according to the circumstances of the act, be probably followed by that consequence. If the writing were dropped in a frequented place, the act probably would produce that consequence, and, therefore, would amount to a publication of the writing; but if the writing were dropped in an unfrequented place, the act probably might not produce that consequence, and, therefore, might not amount to a publication of the writing. To meet such cases, we have extended the definition of a publication, contained in the first paragraph of Section III., to any exposition of a printed writing, being neither a delivery of it nor an offer to deliver it, which probably might cause it to be read by one or more persons. (*See* the second paragraph of Section III.) If any such exposition shall tend, in the particular instance, to produce that consequence, it will amount to a publication of the writing, agreeably to the terms of the definition as thus extended; otherwise, not. If, therefore, any such exposition shall fall under the cognizance of the court, the court will have to determine whether or not it actually tended to produce that consequence, in order to determine whether or not it amounted to a publication of the writing.

Perhaps the definition of a publication would have been sufficient, if it had been limited to any delivery of a writing, or any offer to deliver it, which might probably cause it to be read by one or more persons. There is scarcely an exposition of a writing, though neither a delivery of it nor an offer to deliver it, which might not be deemed the one or the other, by virtue of received interpretations, or by analogy to them. For example, an exposition of a writing by placarding it, or by dropping it or throwing it away, might be deemed, agreeably to the latitude which the civil-lawyers have given to the term "tradition," a delivery of it: *i. e.* a delivery or tradition of it to the world at large, or to the first finder. And so, by analogy, an exposition of the writing for sale, in a shop window or elsewhere, might perhaps be deemed an offer to deliver it.

We thought it safer, however, to extend the definition in the manner above-mentioned, than to trust to the received interpretations just adverted to, or to possible interpretations made by analogy to them.

Besides the acts and omissions which may be deemed publications, there are acts and omissions preceding actual publications, and causing or helping to cause them. For example, the composition of the contents of a writing which afterwards is actually published, is the cause of the subsequent publication, or at least is one of its causes. Now an act or omission which causes a writing to be published, also probably causes it, *through the publication*, to be read by a person or persons: that is to say, it probably produces more remotely and circuitously, the effect which is probably produced by the publication itself more immediately and directly. For the purposes, therefore, of the Ordinance, such acts or omissions

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are equivalent to publications; and might, for those purposes, have been classed with publications, agreeably to the technical language of the English law of libel. But we deemed it expedient, for the reason given in the next Note, to distinguish such acts and omissions from publications properly so called. Accordingly, we have distinguished the former from the latter by the general name of "contributions to publications;" and we have defined the general name, (which, though new and uncouth, seems to express the meaning exactly and clearly enough,) in Section IV.

The following enumeration of cases will illustrate the definition of a *publication*, which is contained in the two paragraphs of Section III.:

1. An actual delivery of a printed writing, in consequence of a sale, gift, or loan, or for any other cause. 2. An offer to deliver a printed writing for sale, or in consequence of a sale, gift, or loan, or for any other cause. 3. Exposing a printed writing, by dropping or depositing it, in a place where a person or persons may probably find it. 4. Exposing a printed writing, by placarding or otherwise exhibiting it, in such a manner that a person or persons may probably read it. 5. Exposing a printed writing for sale, in a shop window, on a stall, or elsewhere.

In each of the cases just enumerated, the writing is exposed (or submitted) to a person or persons (certain or uncertain); and might probably be read, *in consequence of the exposition*, by a person or persons (certain or uncertain). As the mere reading of a writing to one or more persons would not tend to produce that consequence, it would not amount to a publication, by the definition which we have just cited. Nor is it, indeed, within the purposes of the Ordinance; since it bears a close analogy to an oral repetition from memory, and, therefore, is a spoken rather than a written communication.

The following enumeration of cases will illustrate the definition of a *contribution to a publication*, which is contained in Section IV.:

1. Composing the contents of a printed and published writing. 2. Dictating the contents of a printed and published writing, previously to the printing and publication, to a person who writes them down. 3. Writing down the contents of a printed and published writing, previously to the printing and publication, from the dictation of the composer or author of them, or from the dictation of another person. 4. Writing down the contents of a printed and published writing, previously to the printing and publication, from the original manuscript or a manuscript copy of it. 5. Printing from a manuscript, dictation, or memory, the contents of a printed and published writing. 6. Ordering, authorizing, or in anywise permitting, the printing or publication of a printed and published writing. 7. Inadvertently keeping a printed writing in such a manner, that it comes into the possession of another, and through him is published.

In some of the cases just enumerated, the antecedent act or omission might or might not be connected with the subsequent publication, as its cause or one of its causes. It is hardly necessary to add, that unless the act or omission were so connected, it would not be a contribution to the publication.

In the last of those cases, the inadvertent keeping is perhaps a publication, rather than a contribution to a publication; since perhaps it amounts to an inadvertent *exposition* of the writing to the person obtaining the possession. There may be, indeed, a considerable number of probable or imaginary cases, in which it would be impossible to determine with certainty, whether the act or omission amounted to a publication or to a contribution to a publication. But no difficulty could arise from the doubt. The act or omission would be either a publication or a contribution to a publication; and the person who had acted or omitted would be criminally responsible, if he had thereby infringed, with culpable knowledge or negligently, any prohibition in the Ordinance.

We may remark in conclusion, that the preceding enumerations of cases are intended to exemplify the definitions, and not to restrict them to the cases enumerated. The extent of the definitions must be gathered, not from the enumerated cases, but from the general terms in which the definitions are expressed.

Note II.—We have remarked in Note I., that a contribution to a publication is, for the purposes of the Ordinance, equivalent to the publication itself; since an act or omission which causes a writing to be published, also probably causes it, through the publication, to be read by a person or persons. We may add to this remark, that a contributor to a publication of a libellous writing (as, for example, the author of the libellous contents) may bear as great, or even a greater part

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in the production of the mischief, than the person who actually publishes. It, therefore, is declared by Section V., that a publication and a contribution to a publication are equivalent for the purposes of the Ordinance. Our only reason, indeed, for distinguishing the two, was to avoid the obscurity which would have arisen from comprising both of them under the term "publication." Although they are thus confounded by the English law, it appears to us that they ought to be distinguished; for the facts themselves are manifestly different, though the legal consequences annexed to them are the same. For example, the composition of a writing is not a publication of it; nor can it be deemed so without a fiction which tends to render the law unintelligible or obscure.

Note III.—Any delivery of a writing, or any offer to deliver it, or any other exposition of it, to a *single person*, amounts to a *publication* of the writing, by the provisions in Section III. In a particular instance, the exposition of a libellous writing to a single person may not amount to a publication in the obvious meaning of the term; since he may withhold the knowledge of the contents of the writing, which the exposition may have given him, from the public at large, and even from every individual. But every exposition of a libellous writing, to one or a few persons, *tends* to give publicity to the libellous contents; and it therefore is expedient, for the purposes of the Ordinance, that all expositions of the kind should be deemed publications, although they may not be followed in particular instances by their general and probable effect. To this it may be added, that duplicates of a published libel may be published with it; as commonly happens when a libel is published in print. Consequently, publicity might be given to the contents of a libel, by several publications to several single persons, though each of them withheld the contents from every other individual; and, consequently, unless a publication to a single person were deemed a publication for the purposes of the law of libel, publicity might be given to the contents of a libel with absolute impunity. In certain cases, moreover, a single publication to a single person, who withholds the contents of the libel from every other individual, may produce the whole or a part of the mischief which the provision in the law of libel is designed to prevent; as, for example, in the case of a libel tending to wound the feelings of the libelled person, or to incite a person to unlawful violence to the body or property of another. Though the libel be only published to the libelled person, or to the person whom it incites to the violence, and though he withholds its contents from every other individual, the whole or a part of the mischief may be produced by the publication. In one of the two cases, the publication may incite the person to whom it is made, to commit the violence. In the other, the publication may wound the feelings of the libelled person, although it have no tendency to damage his reputation.

It may here be remarked, that every republication of a published writing, and every publication of a duplicate of a published writing, is, for the purposes of the Ordinance, a separate and substantive publication.

It is scarcely necessary to add, that the only publications which are contemplated by the Ordinance, are publications in Malta and its dependencies.

Note IV.—The definition of a contribution to a publication, which is contained in Section IV., may be thought too extensive; since it embraces every act (and every omission) which causes or helps to cause an actual publication, however remotely and circuitously the act is connected with the publication, as its cause or one of its causes. But the extent of the definition could hardly have been abridged consistently with the purposes of the Ordinance; and no inconvenience is likely to arise in practice from the latitude of the terms in which the definition is expressed. A contributor to a libellous publication is not responsible under the Ordinance, unless he knew that he was contributing to the publication, or, with due attention, might have been aware of the fact. (*See* Section VII., and the Notes on Sections VI. VII.). He, therefore, is not responsible under the Ordinance, unless he foresaw, or ought to have foreseen, that his act or omission would cause or conduce to the publication; and if he foresaw, or ought to have foreseen, that his act or omission would cause or conduce to the publication, he is justly responsible under the Ordinance, however remotely and circuitously the cause was connected with the effect.

A like remark is applicable to the terms by which the definition of a publication, contained in the first paragraph of Section III., is extended in the next paragraph. A libellous publication within those terms is not an offence against

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the Ordinance, unless the publisher knew that he was publishing, or, with due attention, might have been aware of the fact. (*See* Section VI., and the Notes on Sections VI. VII.). He, therefore, is not responsible under the Ordinance, unless he foresaw, or ought to have foreseen, that his exposition of the writing might probably cause it to be read by one or more persons; and he is justly responsible under the Ordinance, if he foresaw, or ought to have foreseen, that his act would probably be followed by that effect.

Notes on Sections VI. VII.

Note I.—No act or omission can rationally be imputed as a crime to the person acting or omitting, unless, at the time of the act or omission, he knew that it was a crime; or unless, at the time of the act or omission, he might, with due attention, have known its criminal quality. For unless he knew that it was a crime, or might, with due attention, have known its criminal quality, the fear of the punishment annexed to it could not have operated upon him, and, consequently, could not have determined him from it.

If he knew the criminal quality of the act or omission, it may be said that he committed the crime with *culpable knowledge* (or culpable conscience or consciousness). If he was ignorant of the criminal quality of the act or omission, but might, with due attention, have known its criminal quality, it may be said that the crime was caused by his *negligence* (or his culpable inattention or inadvertence).

It follows from what has preceded, that in every case of crime, culpable knowledge, or negligence, is a part of the *corpus delicti*; or, in other words, that culpable knowledge, or negligence, is of the essence of every crime.

Where a crime is committed with culpable knowledge, it either is committed with a *culpable intention*, or else it is committed with *culpable knowledge merely*. In the first case, the commission of the crime is the *end* of the act or omission, or at least is a means to the end; and, consequently, the commission of the crime is *desired* by the criminal. In the second case, the commission of the crime is not the end of the act or omission, nor is it a means to the end; and, consequently, the commission of the crime is not desired by the criminal, though he knows the criminal quality of the act or omission. To exemplify the distinction which we have stated in general expressions, we will suppose the following cases. First, an incendiary burns a house belonging to another, out of malevolence (or ill-will) towards the owner. Secondly, the owner of a house, having insured it from fire, burns it to defraud his insurers; and in burning it, burns another's house immediately adjoining it. Now, in the first of the supposed cases, the incendiary commits the crime with a culpable intention. The wreaking of his malevolence towards the owner of the house, is the end (or final cause) which moves him to his act; and, consequently, he not only knows the criminal quality of his act, but desires the commission of the crime as a means to the accomplishment of the end. In the second of the supposed cases, the incendiary commits the crime, *in respect of his own house*, with a culpable intention; since he desires its destruction as a means to the accomplishment of his fraud. But he commits the crime, *in respect of his neighbour's house*, with culpable knowledge merely. The destruction of his neighbour's house is not the end of his act, nor is it a means to the end; and he, therefore, does not desire the destruction of his neighbour's house, though he knows it will probably follow the firing and destruction of his own.

Culpable knowledge, therefore, is of two sorts: culpable knowledge with a desire of committing the crime, and culpable knowledge without a desire of committing it. The former may be styled conveniently, *culpable intention*, or culpable purpose or design; the latter, *mere culpable knowledge*, or culpable knowledge (simply, or without an adjunct).

In the technical language of the Roman criminal law, culpable intention is styled *dolus*, or, fully, *dolus malus*; though *dolus* is sometimes restricted (in conformity with its original meaning) to a culpable intention which is consummated by means of a fraud, or which it is attempted to consummate by means of a fraud. Culpable intention is styled, moreover, in the same technical language, *malum propositum*, *malum consilium*, VOLUNTAS *nocendi*.

In the same technical language, mere culpable knowledge is styled, occasionally,

ally, *scientia prope dolum:* knowledge approaching to culpable intention. But, generally, mere culpable knowledge, as well as negligence, is styled *culpa.*

Consequently, the technical language of the Roman criminal law may be stated shortly as follows.—Culpable intention is denoted by *dolus.* Mere culpable knowledge, and negligence, are denoted respectively by *culpa.*

As used properly in their technical meanings, the *express malice* and *implied malice* of the English criminal law seem to be equivalent to the *dolus* and *culpa* of the Roman. Express malice (or malice simply) signifies culpable intention. Implied malice (the import of which would be better denoted by *fictitious malice* or *quasi-malice*) sometimes signifies mere culpable knowledge, and sometimes signifies negligence.

To prove that the language of the English law is equivalent to that of the Roman, it would be necessary to analyse minutely, and at great and tedious length, the judicial decisions, and the passages in authoritative writers, which afford definitions of the term malice. And after all, the proof would be imperfect. For, owing to the ambiguity of the term, the decisions and passages in question are not entirely consistent. Some adhere to the technical meanings of the term, and substantially determine those meanings agreeably to the foregoing explanations of them. But others confound malice in its technical meanings, with malice in its popular sense: that is to say, as denoting malevolence (or ill-will) towards the object of the injury.

That the technical meanings of the term accord with the foregoing explanations of them, will, however, sufficiently appear from the following examples. 1. By the English criminal law of libel, a bookseller is liable for knowingly publishing a libel with a knowledge of its libellous quality. If he publishes out of malevolence towards the object of the injury, he publishes with *malice* in the popular sense. If, as commonly happens, he publishes for pecuniary profit, he publishes without *malice* in that signification. In either case, however, he is liable for publishing with *malice* (or with *express* or genuine *malice*), as meaning a criminal intention; for, in either case, his purpose in publishing would not be satisfied, unless he committed the act. But though the publication did not subserve his purpose, and were merely incidental to his pursuit of his purpose, he would be liable for publishing with *implied* (or fictitious) *malice:* that is to say, with mere culpable knowledge. 2. A bookseller who publishes a libel in ignorance of its libellous quality, is liable for the publication. In technical language, he is liable for publishing with *implied malice:* but, without a fiction, he is liable for publishing *negligently.* If he had adverted to the contents of the libel, (or had given them the attention to which he was bound by his calling), he would not have published it at all, or would not have published it in ignorance of its nature. 3. If a bookseller's shopman publishes a libel without the knowledge of his master, the latter is liable for the publication; and, in technical language, he is liable for publishing (*i. e.* for contributing to publish) with *implied malice.* But the publication is not the act of the master, directly or indirectly; and he merely contributes to it negatively, by not preventing it. Consequently, the only assignable reason for making him liable for it, is his real or presumed *negligence.* The publication is attributed to his neglecting the precautions against it, which he might and ought to have taken. It is presumed that he neglected to provide, as he might and ought to have provided, against the servant's misconduct in the specific instance; or that he committed to the servant a general authority to act for him in his trade, without having duly endeavoured to ascertain his fitness for the trust.

The term *dolus* (or *express malice*), and the term *culpa* (or *implied malice*), are obscure, and even unintelligible, to all but lawyers. We, therefore, have employed in the Ordinance, (which we desired and endeavoured to express as clearly as possible), the comparatively perspicuous and familiar terms, *culpable knowledge*, and *negligence.*

It will appear from the Ordinance, that a *culpable intention* is not of the essence of any offence against it. For the reason, *see* Note III. on Sections VI. VII.

Note II.—A publication or contribution embraced by a prohibition in Chapter III., will not be imputed to the publisher or contributor, unless he knew, or, with due attention, might have known, that he was publishing or contributing to publish; and unless he knew, or, with due attention, might have known, that the publication was embraced by the prohibition. (*See* Sections VI. VII.) The knowledge or possibility of knowledge, thus required as a

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ground for the imputation, is merely a knowledge of the quality of the fact, or a possibility of knowing its quality; or, in other words, it is merely a knowing, or a possibility of knowing, that the fact was within the law applicable to it. Accordingly, the publication or contribution will not be imputed to him, unless he knew, or, with due attention, might have known, the following facts: *first*, that the publication or contribution amounted to a publication or contribution, agreeably to the definition of the term which is given in the Ordinance; *secondly*, that the publication was one of the publications against which the prohibition is directed. But the court will presume conclusively, (or *juris et de jure*,) that he knew the existence of the definition and prohibition, and also understood their import. Agreeably, therefore, to the principle which necessarily obtains in every legal system, inevitable *ignorance of fact* will suffice to excuse him. But *ignorance of law*, although it was inevitable, will not suffice to excuse him; for, agreeably to the conclusive presumption which also necessarily obtains in every legal system, the existence and import of the law are known and understood by all.

Since the court will presume conclusively that he knew the law, it will further presume, from the mere fact of the publication or contribution, that he published or contributed with culpable knowledge or negligently. For since (by the conclusive presumption) he knew the law, and since (by the supposition) the fact was within the law, the mere fact will afford a sufficient presumption, that he knew, or ought to have known, its criminal quality. But the knowledge or possibility of knowledge, presumed from the publication or contribution as standing alone, will not be presumed conclusively (or *juris et de jure*), but only *primâ facie* (or *de jure* merely). In other words, the legal presumption from the mere publication or contribution will yield to any opposite and stronger inference which any additional fact may afford to the court. For example, if it appear that the defendant delivered (and thereby published) the libel, the court will presume, from the mere publication, that he published with culpable knowledge or negligently. But if it appear sufficiently, from some fact extrinsic to the delivery, that the defendant delivered the libel in inevitable or excusable ignorance of its libellous quality, the inference afforded by the extrinsic fact will outweigh the legal presumption arising from the mere publication. Again, it may appear that the libel was published by a servant of the defendant: and, consequently, that the defendant himself contributed to the publication positively, by authorizing it expressly or tacitly; or, at least, contributed to it negatively, by passively permitting it, or not preventing it. Now, from the mere publication by a person in the service of the defendant, it will not only be presumed that the defendant contributed to the publication positively or negatively, but it will also be presumed that he contributed to the publication with culpable knowledge or negligently. It may, however, appear from some extrinsic fact, that the publication was not authorized or known by the defendant himself, and was not even caused by his neglecting the precautions against it which were required from him in his character of master; and the inference thus afforded by this extrinsic fact may outweigh the legal presumption of culpable knowledge or negligence which will arise from the mere publication by a person in the defendant's service. According to the English criminal law of libel, this legal presumption would perhaps be conclusive in either of the cases which we have just supposed. It appears, however, to us, that the general presumption from the mere publication or contribution ought not to avail, in any case whatever, if it appear sufficiently from some extrinsic fact, that the presumption is false in the particular instance.

Note III.—It will be seen from the Ordinance, that a *culpable intention* is not of the essence of any of the offences against it. A publishing, or contributing to publish, with a culpable intention, will of course be imputed to the publisher or contributor; since a publishing or contributing with a culpable intention, is a publishing or contributing with culpable knowledge. But, in order to subject him to the punishment annexed to the publication or contribution, it will suffice that he published or contributed with mere culpable knowledge, or that he published or contributed negligently.

We cannot discover a reason for requiring a culpable intention, in order to subject him to the punishment. A publishing or contributing with mere culpable knowledge, or a publishing or contributing negligently, is just as productive

tive of the mischief at which the punishment is aimed, as a publishing or contributing with a culpable intention. Besides, the disposition evinced by the offender in the former case, is nearly or quite as dangerous as that which he evinces in the latter. He commits the offence, in the former case, with a knowledge of its criminal quality; or, at the least, with a power of knowing its criminal quality, on giving the requisite attention to the nature of his conduct. He therefore offends in spite of that knowledge, or through a want of that requisite attention; and he thus shows himself regardless of his duties, and wanting in the moral feelings which tend to determine from offences, just as plainly as he would do if he offended with a culpable purpose.

Whether he offended with a desire of committing the offence, or without that desire, but knowingly or negligently, is, therefore, a question of no importance, in respect to the expediency of making him penally responsible. Whether he offended knowingly and with that desire, or knowingly but without that desire, is also a question of no importance, in respect to the amount of the punishment which ought to be inflicted upon him. In the case, however, of an offender offending with culpable knowledge, the amount of the punishment due to him depends upon the degree of the deliberation with which he offended; as in the case of an offender offending negligently, the amount of the punishment due to him depends upon the degree of the negligence by which the offence was produced.

In not requiring a culpable intention as a ground for imputing the publication or contribution, the Ordinance follows the principles of the English criminal law of libel. According to those principles, mere culpable knowledge, or negligence, is a sufficient reason for imputing the publication or contribution to the publisher or contributor; as will appear satisfactorily from the examples given above, notwithstanding the obscurity thrown upon the import of the law by the terms *express* and *implied* (or genuine and fictitious) *malice*. (*See* Note I. on Sections VI. VII.)

Note IV.—Inadvertence (or inattention) is of two sorts: negligence (or culpable inadvertence), and innocent inadvertence. Consequently, if a case of publishing or contributing inadvertently should become the subject of a judicial proceeding, the court may be called upon to decide whether the inadvertence amounted to negligence; or, in other words, whether the party who published or contributed inadvertently, published or contributed negligently.

Now negligence is the want of due attention: meaning by *due* attention, the attention due from a given party, by virtue of a given law, or rule or principle of morals. For the purposes, therefore, of the Ordinance, negligence is the want of the attention due by virtue of the Ordinance, from a publisher or contributor to a publication.

In order, then, to decide the question mentioned in the first paragraph of the present Note, the court must determine the *amount* of attention which was due from the party by virtue of the Ordinance. If he gave that amount of attention, or more than that amount of attention, to the quality of the publication or contribution, he did not publish or contribute negligently, though he published or contributed inadvertently. If he was regardless of the quality of the fact, or gave it an attention short of that which was due from him, he published or contributed negligently as well as inadvertently.

But the cases of publishing or contributing inadvertently, which may possibly fall within the purposes of the Ordinance, are infinitely various in their several natures and their respective material circumstances. They, therefore, cannot be brought within any general description; and, therefore, the amount of attention exacted by the Ordinance from a publisher or contributor to a publication cannot be defined by the Ordinance itself. Consequently, in order to determine the amount of attention which was due from the party, the court must consider the nature and the material circumstances of the case; and must then apply to it the principles, concerning negligence as a ground of imputation, which it applies habitually to analogous criminal cases not arising under the Ordinance.

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NOTES ON CHAPTER III.

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Notes I. II. III. on Sections I. II.
Notes I. II. III. on Section I.
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Note on Section IX.

Notes on Sections I. II. III. IV. V.

Note I.—By these five sections, publications of the following descriptions are respectively prohibited. 1. Publications tending to incite to acts which tend to subvert the government. 2. Publications tending to incite to unlawful violences, which, though they may not tend to subvert the government, tend to weaken its authority. 3. Publications of writings censuring or disrespectfully mentioning Her Majesty the Queen. 4. Publications of writings untruly imputing specific misconduct to persons in public capacities. 5. Publications tending to disturb the amicable relations between Her Majesty's government and sovereign governments in amity with it.

It appears from this summary, that the prohibitory provisions in these five sections are analogous to the provisions of the English criminal law which are styled commonly The Law of Political Libel.

Note II.—We have endeavoured to frame a law of political libel, which, owing to the nature of the offences embraced by it, and to the moderation of its penalties, the government would be enabled to enforce with the concurrence of public opinion. The publications embraced by these five sections (and especially those embraced by Sections I. II. III. and V.) are manifestly mischievous to the public; whilst the highest penalties annexed to them are not immoderate, and may be mitigated by the court. It appears to us, therefore, that the law would be enforced with the concurrence of public opinion; and that the public would generally incline to aid in the enforcement of it.

The reasons for the latitude left by the Ordinance to the freedom of political discussion, are explained more fully in Note III. on Section IV.

Note III.—It may be remarked generally of the prohibitions in Chapter III., and especially of the prohibitions in these five sections, that an offence falling under one of them might also fall under another. For example, a publication tending to incite to any of the unlawful violences described in Section II., might also tend to incite to an act tending to subvert the government; since the unlawful violence might tend to subvert the government, by remote, or even by immediate consequence. The publication, therefore, might fall within the prohibition contained in Section I., as well as within the prohibition contained in Section II.

But though an offence, prosecuted under the Ordinance, happen to fall under two or more prohibitions, no inconvenience will ensue. It is proposed in Note III. on Section I. Chapter V., that the indictment shall state generally, that the defendant has offended against the Ordinance. At the trial, therefore, the public prosecutor can accuse, and the court can convict the defendant, of an offence against any prohibition which the evidence may prove him to have broken.

Notes on Sections I. II.

Note I.—These two sections respectively prohibit publications of the two following descriptions. 1. Publications tending to incite to acts which tend to subvert the government. 2. Publications tending to incite to unlawful violences, which,

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which, though they may not tend to subvert the government, tend to weaken its authority.

Publications of the former tendency are separated from publications of the latter, by a line of demarcation which is essentially indistinct; since some of the unlawful violences which are described in Section II., might, by remote, and even by immediate consequence, tend to subvert the government as well as to weaken its authority. But it was necessary to draw the line, essentially indistinct as it is, in order that persons concerned in the more pernicious publications, might be punished with greater severity than persons concerned in the less; and no inconvenience will ensue, (as we have remarked in Note III. on Sections I. II. III. IV. V.,) in case a publication falling within Section II., fall also within Section I.

It sometimes may be difficult for the court to determine with certainty, whether a publication coming before it as an offence, falls within either of the prohibitions; since it may be difficult for the court to determine with certainty, whether the publication actually *tends* to incite to any of the various acts described in either of the sections. The difficulty is considered in Note IV. on Section IV.

Note II.—A prohibition of any publication tending to incite to any act *being a crime by the law of Malta*, might have been substituted for the prohibitions in Sections I. II. and Section IX.; and this plan we should probably have adopted, if the criminal law of Malta were definite and generally intelligible.

If the criminal law of Malta were well defined, the plan would have had the following, amongst other advantages. 1. Most of the abuses of the liberty of publishing, which it is expedient to restrain by legal punishments, would have been embraced by a single prohibition. For example, the prohibition would have included every publication tending to incite to any crime having a tendency to subvert the government; or tending to incite to any criminal violence having a tendency to weaken the authority of the government. It, therefore, would have included most of the publications of writings, deemed by the English law political libels, which it is expedient to treat criminally. 2. A large and important portion of the law of libel would have been rendered precise as well as comprehensive and compact; since a publication tending to incite to a definite crime is itself a definite notion.

But since there is not in Malta a well defined criminal law, the plan might have been productive of great inconveniences. Owing to the vagueness and uncertainty of the law, writers, printers, booksellers, and others concerned with publications of printed writings, might have innocently incited to acts of whose criminality they could not have been aware; and might, in consequence, have been legally punished for offences of which morally they would not have been guilty.

We, therefore, relinquished the plan of prohibiting any publication tending to incite to any act *being a crime by the law of Malta*; and instead of inserting in the Ordinance a single prohibition to that effect, we have inserted the prohibitions contained in Sections I. II. and Section IX. The publications included in those prohibitions are publications tending to incite to the acts described in these sections; and substantially, if not formally, these acts must of course be crimes by the law of Malta. In effect, therefore, those prohibitions extend to many of the publications which the single prohibition would have embraced; or, at the least, they extend to such of these publications as are the most pregnant with mischief, and call the most urgently for penal preventions or restraints.

If the criminal code now in preparation should be completed, the criminal law of libel (which of course would form a part of it) could be reconstructed, with little difficulty, agreeably to the plan which we have just suggested.

Note III.—Since every publication prohibited by Sections I. II. is prohibited for its *tendency* to produce a specified mischief, we will here explain the meaning of the term *tendency*, as the term is understood in the Ordinance and Notes. The explanation may be given as follows:

If a given fact (positive or negative) will probably be followed by a given consequence, the fact *tends* to produce the consequence. The *tendency*, therefore, of the fact to produce the consequence, merely denotes the probability that the consequence will follow it. Hence it results, that a given publication *tends* to

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produce a given mischief, if the mischief will probably follow it; and the probability that the mischief will follow it, is all that is denoted by its *tendency* to produce the mischief.

In some of the cases arising from the Ordinance, which may fall under the cognizance of the court, the court will have to decide on the tendency of the publication coming before it as an offence. Having explained the meaning of the term *tendency*, we will distinguish the cases in which the tendency of the publication will be a question for the court, from those in which the court will not be called upon to consider it.

Any publication tending to incite a person or persons to any act embraced by any of the descriptions in Sections I. II. and IX., is prohibited by those sections respectively; any publication tending to incite a subject or subjects of any sovereign government in amity with the government of Her Majesty, to any of the acts described in the fourth paragraph of Section V., is prohibited by that section; and any publication tending to defame a person in a private capacity, is prohibited by Section VIII., under an additional penalty. In each of the prohibitory provisions to which we have just referred, the publication is prohibited for its tendency to produce a specified mischief; namely, for its tendency to incite to the act, or for its tendency to defame the person. Consequently, none of these provisions will be applicable by the court to any publication coming before it, unless the publication has the mischievous tendency which the provision specifies; and, consequently, before the court can apply the provision to it, the court must decide that it has that tendency. In the other prohibitory provisions contained in the Ordinance, the publications are not prohibited for a specified mischievous tendency. Like every other publication prohibited by the Ordinance, they are prohibited for their tendency to produce a mischief; but the Ordinance, instead of specifying the tendency, tacitly and conclusively presumes it. Consequently, any of these provisions will be applicable by the court to any publication within its terms, though the very publication have not the mischievous tendency for which the provision prohibits publications of the kind. The court, therefore, will apply the provision to the publication, without regard to its tendency; presuming conclusively, (agreeably to the tacit and conclusive presumption of the Ordinance,) that every publication within the terms of the provision must tend to produce the mischief at which the provision is aimed.

The two prohibitory provisions in Section V. will illustrate the distinction in question. Any publication of a writing reviling, &c., is prohibited by the first of those provisions; and any publication tending to incite, &c., is prohibited by the second. The two provisions have one and the same ground; namely, the tendency of the publication to disturb the amicable relations between Her Majesty's government and the sovereign government in amity with it. But the court would apply either provision to any publication within its terms, without considering whether the publication had or had not that tendency; for it is tacitly and conclusively presumed by the provision itself, that every publication within its terms has that tendency. The second provision, however, would not be applicable by the court to any publication coming before it, unless the publication actually tended to incite, &c.; and, consequently, before the court applied the provision to the publication, it would decide that the publication had actually that specified tendency.

As we have remarked above, the mischievous *tendency* of a publication is the *probability* of its producing the mischief. Consequently, in considering whether a publication has or has not a specified mischievous tendency, the court will consider the probability of its producing the specified mischief. Now this probability will depend on the particularities of the case; and since the particularities of cases cannot be anticipated by general provisions, the tendency of the publication will be a question of fact which the court will decide according to its discretion. If it infer from the contents of the writing, and from the other circumstances of the publication, that the probability of the publication's producing the mischief is none or extremely small, it will naturally decide that the publication has not the tendency; as it will naturally decide that the publication has the tendency, if it infer from the circumstances of the publication, that the probability is not inconsiderable.

To this it may be added, that, in strictness, the tendency of the publication, which will be a question for the court, will be its tendency at the time of its being made. Unless there had then been a probability that the publication would immediately

immediately or remotely produce the mischief, the publisher (or contributor to the publication) could not have been aware of its mischievous tendency; and, therefore, he would not have published (or contributed to the publication) with culpable knowledge or negligently.

We will shortly remark, before we conclude the present Note, that by the tendency of a publication to incite a person to an act, we mean its tendency to determine him to the act, or to raise in him a desire of doing the act. This the writing may accomplish by addressing itself to his sympathies or antipathies, his hopes or fears, or any other of his passions or affections.

Notes on Section I.

Note I. "*Her Majesty's government in these islands.*"—This expression, as occurring in Section I., embraces the government in all its departments, or in any of its departments indifferently; inasmuch as any act to which a publication prohibited by the section would tend to incite, would have a tendency to subvert the entire government, or any of its parts indifferently.

Note II.—The following are examples of the publications prohibited by Section I.:

A publication tending to incite a person or persons, 1°, to take arms against Her Majesty's government for the purpose of subverting it; or, 2°, to bear arms in the service of a foreign government against the government of Her Majesty; or, 3°, to aid Her Majesty's enemies in any other manner (as by giving them information, or supplying them with warlike stores); or, 4°, to usurp (or unlawfully assume the exercise of) any of the powers residing in Her Majesty's government; or, 5°, to meet with arms for the purpose of redressing by violence, or by menaces of violence, any real or supposed grievance.

In the first case, the act to which the publication tended to incite, would be an *attempt* to subvert Her Majesty's government. In the second and third cases, the act to which the publication tended to incite, would naturally amount to a similar attempt; inasmuch as the subversion of Her Majesty's government would naturally be the purpose of the persons engaged in the act.

In the fourth and fifth cases, the act to which the publication tended to incite, might or might not amount to a similar attempt. It is imaginable, for example, that a body of private persons, having no design of subverting the government, might take upon themselves to abrogate a law; or that an armed assemblage, meeting to redress by violence a real or supposed grievance, might truly entertain no other purpose than the limited design which they professed. But the act would *tend* to subvert the government, although the publisher, and the persons acting on his suggestions, might not design its subversion; and as he and they would know the tendency of the act, or, by attending to its probable consequences, might easily know its tendency, neither he nor they ought to escape with impunity.

Note III.—According to the English law, any of the publications prohibited by Section I. might perhaps be deemed an act of treason; and the persons concerned in the publication might perhaps be liable to capital punishment. A publication tending to incite to an act having a tendency to subvert the government, tends circuitously to the production of the same mischief. But since a publication of the kind would have this *tendency*, it might be deemed indicative of a *design* (in the persons concerned in it) to subvert the government; and, as being indicative of a design to subvert the government, it might be deemed an *overt* (or external) *act* done in pursuance of that treasonable purpose. Such, at least, might be the construction put upon the publication, if it tended to incite to an act indisputably treasonable; as, for example, an *attempt* to subvert the government.

It appears to us, for the following reasons, that none of the publications prohibited by Section I. ought to be deemed a treasonable and capital offence, although it tended to incite to an act indisputably treasonable. 1. A treasonable design can hardly be inferred from the mere fact of a publication tending to incite to treason. In most cases of publications tending to incite to treason, the only purpose of the persons concerned in the publication, is to make a dishonest gain by pandering to popular discontent. 2. Supposing that the persons concerned in the publication entertained a treasonable design, the inference would hardly

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be necessary for the purpose of convicting them of treason. If they entertained the design, the publication, probably, would not be the only evidence from which the design might be presumed; and if the design might be presumed from evidence *aliunde*, the publication could be given in evidence, in any proceeding against them for the offence of high treason, in order to confirm or strengthen the presumption. 3. A person seriously entertaining a treasonable design, would hardly publish a printed writing for the purpose of effecting or promoting it; since the publication would betray his design, and enable the government to defeat it. 4. To place a publication tending to incite to treason, on a level with treason itself, would be grossly inconsistent with every sound principle for determining the degrees of criminality. It would also be out of analogy with the rule of the English law, by which an incitement to a felony is merely a misdemeanor. 5. If the penalties annexed to treason itself were annexed to publications tending to incite to it, the disproportionate severity of the punishment would probably lead to impunity. The government would prosecute with reluctance; witnesses would not appear, or would suppress the truth; the court would incline to acquit against the evidence; and, in case of a conviction, the government would be disposed to pardon the criminal.

Notes on Section II.

Note I. "*Violence:*" *i. e.* physical violence or force. Any violence to any person or thing would be within the terms of the 1st, 2d, 3d, 4th, 5th, 6th, or 7th description, in case the violence entered into (or formed a part of) the prevention, obstruction, disobedience, impediment, or attempt; any offer of violence, made or directed towards any person or thing, would be within the terms of any of those descriptions, in case the offer entered into (or formed a part of) the prevention, &c.; and any menace of violence to any person or thing, addressed or directed to any person, would be within the terms of any of those descriptions, in case the menace entered into (or formed a part of) the prevention, &c.

Note II. "*A law (or rule of law) in force in these islands:*" *i. e.* in force (or obligatory) at or after the time of the publication tending to incite to the prevention, &c.

The expression, "a law (or rule of law) in force in these islands," embraces any law (or rule of law) in force in these islands, be it civil, ecclesiastical, or other. It therefore embraces any law, in force in these islands, for the government or discipline of Her Majesty's Army or Navy.

Note III. "*A lawful command:*" *i. e.* a lawful command in force (or obligatory) at or after the time of the publication tending to incite to the prevention, &c.

Note IV. "*Her Majesty's government in these islands.*"—This expression, as occurring in Section II., embraces such government in all its departments. It, therefore, is not restricted to the civil department of such government, but extends to any other department: as, for example, to the government of Her Majesty's military or naval forces within the limits of these islands; or to the government of any establishment within those limits, which subserves the maintenance or government of Her Majesty's Army or Navy.

Note V. "*A person employed or concerned in administering Her Majesty's government in these islands.*"—This expression, as occurring in Section II., embraces any person within any of the following descriptions. 1. A person employed or concerned in administering such government generally, or in administering any department of such government, be it civil, military, naval, or other. 2. A person employed or concerned in administering such government, in any capacity superior or inferior. 3. A person employed or concerned in administering such government, in any capacity permanent or transient. For example, a judge, a military officer commanding a regiment or fort, or a naval officer commanding a ship, is employed or concerned in administering such government, in a *permanent* capacity. A juryman, a military officer on guard, or a sentry on his post, is employed or concerned in administering such government, in a *transient* capacity. 4. A person employed or concerned in administering such government, within or beyond the limits of these islands. For example,

ple, Her Majesty's Principal Secretary of State for the Colonies is employed or concerned in administering such government, beyond the limits of these islands; as is a person employed or concerned in the United Kingdom, in administering in any manner the military or naval department of Her Majesty's government in these islands.

It follows from this enumeration, that the term *administering*, as occurring in Section II., is used in its largest acceptation. It signifies the doing of government business of any nature or description; or (in other words), it signifies the ministering in any capacity, or by the exercise of any function, to the carrying on of the government in all or any of its departments.

Note VI. "*Any immoveable or moveable thing possessed by the aforesaid government:*" *i. e.* possessed by the government (or any department of the government), through the possession of a person or persons possessing in trust for the government (or department). The purpose of the prohibitory provision, is the prevention of publications tending to incite a person or persons to destroy or damage unlawfully government property. For that purpose, any immoveable or moveable thing in the possession of the government, may be deemed government property: *i. e.* a thing subject to a legal right residing in the government, whether such right be a right of property (in the strict acceptation of the term), or be a right less extensive or absolute.

Note VII. "*Disobeying with violence, &c.*"—Perhaps this is superfluous, as being included implicitly in the first and third descriptions. Whoever disobeys a law or other command, is bound to concur (positively or negatively) in the execution of it; for if he were not, he could not disobey it. But, by disobeying, he refuses the concurrence (positive or negative) to which he is bound, and, therefore, *prevents* or *obstructs* the execution.

Note VIII. "*Doing or offering violence &c.*"—Perhaps this is superfluous as being included implicitly in the sixth and seventh descriptions. Violence, or an offer of violence, to a public person in the exercise of his public authority, will naturally *impede* him in the exercise of his authority, or amount to an attempt to impede him in the exercise of it.

Note on Section III.

By the expression, "Her Majesty the Queen," is signified the King or Queen reigning for the time being.

Censure of Her Majesty's government, or of any of the persons employed or concerned in it, might be deemed, by construction, censure of Her Majesty; but it will appear from Section IV., and from the Notes upon it, that this is not the censure prohibited by Section III.

Direct censure of Her Majesty (either individually, or conjointly with others) is the censure prohibited by this section. The prohibition is in keeping with the constitutional and legal maxim which supposes the King incapable of wrong; and is also in keeping with the practice of the Houses of Parliament, by which the acts of the King are ascribed to his ministers and servants. The direct censure in question is hardly consistent with the reverence which is due to the royal office and person; and the permitted criticism on the King's ministers, and others in authority under him, is a sufficient check upon misgovernment.

Notes on Section IV.

Note I. "*Malversation.*"—This expression, as used in the Ordinance, signifies any misconduct (positive or negative) in a public capacity; or (in other words), it signifies any violation (positive or negative) of any legal or moral duty incumbent on a person in a public capacity.

"*Unless the writing specify the imputed malversation:*" *i. e.* unless the writing impute malversation in a particular instance or instances. A general imputation of malversation (or an imputation not specifying the imputed malversation) may be deemed equivalent (as is shown in Note III. on Section IV.) to mere vituperation; and, for the reasons assigned in that Note, mere vituperation of public persons is not punishable under the Ordinance.

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The reasons for limiting the prohibition to *untrue* imputations of *specific* malversation, are given in the Note to which we have just referred. It may be added here, that the prohibition accords with the provisions in the French law concerning the same subject.

Note II. "*Her Majesty's government in these islands.*"—This expression, as occurring in Section IV., bears the meaning annexed to it in Section II.; for which meaning, *see* Note IV. on this last-mentioned Section.

"*A person employed or concerned in administering Her Majesty's government in these islands.*"—This expression, as occurring in Section IV., bears the meaning annexed to it in Section II.; for which meaning, *see* Note V. on this last-mentioned Section.

A false imputation of specific malversation, on a person concerned in administering such government, may be thrown on a person not so concerned at the publication of the calumnious writing, but who had been so concerned before the publication of it. In the supposed case, the publication of the calumnious writing will fall within the terms, or, at least, within the scope of the prohibition. Persons formerly concerned in administering a government, ought to be protected from calumnious imputations, as well as persons actually concerned in administering it.

Note III. As we have remarked in Note I. on Sections I. II. III. IV. V., the prohibitory provisions in these five sections are analogous to the provisions of the English criminal law which are styled commonly The Law of Political Libel. Having nearly arrived at the close of the Notes which relate specially to this department of the Ordinance, we will here endeavour to explain, as fully and clearly as our limits will permit, the reasons for the latitude left by the Ordinance to the freedom of political discussion.

It may perhaps be inferred from some of the judicial decisions, (or, at least, from the *dicta* which some of them contain,) that any printed and published attack upon the constitution (or form) of the government, or upon the administration of the government, or upon any particular person concerned in administering the government, would be deemed a libel, by the English criminal law. But we think, after much consideration, that no such printed and published attack ought to be deemed a libel, unless it falls within one of the prohibitions in Sections I. II. III. IV.: that is to say, unless it tends to incite to an act tending to subvert the government, or tends to incite to an unlawful violence tending to weaken the authority of the government, or censures or mentions disrespectfully Her Majesty the Queen, or untruly imputes specific malversation to a determinate or particular person concerned in administering the government.

In assigning our principal reasons for this conclusion, we will advert, in the first instance, to printed and published attacks upon the constitution (or form) of the government; next, to printed and published attacks upon the administration of the government, not particularly aimed at particular persons employed or concerned in administering it; lastly, to printed and published attacks particularly aimed at such particular persons in their public capacities.

1. It will hardly be disputed, that attacks upon the constitution of the government, in the way of serious argument, ought to be permitted.

But if such attacks, in the way of serious argument, ought to be permitted, similar attacks, in the way of vituperation or ridicule, ought not to be prohibited. A prohibition of the latter would nearly amount, in effect, to a prohibition of the former. It is scarcely possible for writers earnestly engaged in political discussion, to abstain altogether from expressions which may be construed into vituperation or ridicule; and the remark applies particularly to political writers in newspapers and other periodical writings, since they want the requisite time to guard their expressions carefully.

2. Attacks upon the administration of the government, not particularly aimed at particular persons concerned in administering it, may (it appears to us) be permitted without inconvenience.

Imputations of misconduct, thrown upon the administration of the government, are imputations specifying the misconduct, or imputations of misconduct generally. Imputations specifying the misconduct, may be true or false. If they be true, the authors of them ought not to be visited with legal punishment; and if they be false, they admit of satisfactory answers. General

imputations

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imputations of misconduct are equivalent to vituperation or ridicule. But these ought not to be prohibited, for the reason which we have assigned above: namely, that the prohibition of them would nearly amount, in effect, to an absolute prohibition of criticism.

To these considerations it may be added, that attacks upon the administration of the government, not particularly aimed at particular persons concerned in administering it, have little or no tendency to wound the feelings or reputation of any particular individual. Censure or insult aimed at a numerous body scarcely touches the individuals of whom the body is composed.

3. Attacks particularly aimed at particular persons concerned in administering the government, consist of vituperation or ridicule, or of imputations of misconduct. Of these imputations, some are general, and others are specific; and of these specific imputations, some are true, and others are false.

It appears to us, that attacks in the way of vituperation or ridicule, upon persons in public capacities, may be permitted with little or no inconvenience. Similar attacks upon persons in private capacities, tend to detract from the reputations or to wound the feelings of the persons against whom they are directed; and, for this reason, they are prohibited by Section VIII. (*See* the Notes on that Section.) But mere vituperation or ridicule of a person in a public capacity, has little or no tendency to detract from his reputation, or even to wound his feelings. It has little or no tendency to detract from his reputation, because it is regarded by the public as an ebullition of party animosity, and a customary weapon of party warfare. It has little or no tendency to wound his feelings, because he is aware of the light in which it is regarded by the public.

The same reasoning is applicable to a general imputation of misconduct, on a person in a public capacity. So long as such an imputation remained general, it could neither be proved, nor repelled by proof; for until the accuser descended from generalities, and specified the imputed misconduct, he could not demonstrate the truth of the imputation, nor could the accused demonstrate its falsity. If the accuser, by a subsequent publication, specified the imputed misconduct, the general and vague imputation would be rendered specific and precise; and, supposing it false, its falsity would be rendered demonstrable and tangible, and the accuser might be visited with legal punishment. But so long as the imputation remained general, it would hardly be credited by a single person gifted with a particle of reason or justice. It would be equivalent, in effect, to mere vituperation or ridicule; and, as we have shown in the last paragragh, mere vituperation or ridicule of a public person has little or no tendency to wound his reputation or feelings.

A true imputation of specific misconduct, on a person in a public capacity, tends to wound his reputation and feelings. Now every such imputation on a private person is prohibited by Section VIII., as having the same tendency; and it might seem, from the analogy between the cases, that every such imputation on a public person ought to be prohibited also. But a true imputation of specific malversation (or specific misconduct in a public capacity) tends to prevent the recurrence of similar mischiefs; and the good to the public, which is thus done by the imputation, greatly outweighs the evil which it inflicts on the individual delinquent. The above-mentioned reason for prohibiting such imputations, must, therefore, yield to a stronger reason for permitting them, which does not apply (as is shown in Note IV. on Section VIII.) to true imputations of specific misconduct upon persons in private capacities.

A false imputation of specific malversation, thrown on a particular individual, tends less than a like imputation of private misconduct, to wound the reputation and feelings of the calumniated person. But still it has this tendency, though in that less degree; and since it has no tendency to check misgovernment, the probable evil to the particular individual is not compensated by a probable good to the public. Such imputations, therefore, ought to be prohibited; and, accordingly, they are prohibited by Section IV.

We may add to the foregoing reasons for the latitude left by the Ordinance to the freedom of political discussion, that it is not so wide as the latitude which *in fact* is permitted in England, notwithstanding the comprehensive provisions of the law of political libel. This law is rarely enforced in England, even in regard to the political libels which call the most urgently for penal preventions and restraints. In consequence of its extending to cases which it ought not to embrace, there is an indisposition in the public, and even in the government, to

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enforce it in the cases which it justly includes. As is usual, the excessive rigour of the law leads to universal impunity; or, rather, to something which is more pernicious than universal impunity itself. The law is enforced rarely and capriciously, and, therefore, uselessly and vexatiously; whilst the great majority of offenders escape chastisement, though richly meriting the punishments which the law annexes to their offences.

To obviate this inconvenience, we have limited the prohibitions in the Ordinance, concerning political libels, to the cases in which the law, as concurring with public opinion, would probably be enforced. We, therefore, hope that these prohibitions, though less comprehensive than the analogous provisions of the English law, will afford practically more protection to the government, and to the persons concerned in administering it. (*See* Note II. on Sections I. II. III. IV. V.).

Note IV.—The difficulty adverted to in the last paragraph of Note I. on Sections I. II., may be considered conveniently in the present place; for the preceding explanation of the latitude left by the Ordinance to the freedom of political discussion, will enable us to shorten the remarks which the difficulty seems to require.

The two prohibitions in Sections I. II. embrace publications of the following descriptions. 1. Publications tending to incite to acts which tend to subvert the government. 2. Publications tending to incite to unlawful violences, which, though they may not tend to subvert the government, tend to weaken its authority.

Now it sometimes may be difficult for the court to determine with certainty, whether a publication coming before it as an offence, falls within either of the prohibitions; since it may be difficult for the court to determine with certainty, whether the publication actually *tends* to incite to any of the various acts described in either of the sections. If the difficulty here contemplated should ever arise, it will spring from the uncertainty inherent in the term *tendency*. The tendency of a publication to incite to any of those acts, will depend upon the particularities of the case; and since the particularities of cases are infinitely various, and, therefore, cannot be anticipated by general provisions, the tendency of the publication to incite to any of those acts will be a question of fact which the court must decide by its discretion. (*See* Note III. on Sections I. II.). It, therefore, is impossible to suggest a test by which the difficulty in question might be solved in every case. We think, however, that the following test might serve in the majority of cases, as a useful guide to the discretion of the court.

Generally speaking, no publication would tend to incite to any of the various acts described in either of the sections, unless the writing provoked to one or more of those acts, either expressly or by intelligible insinuation.

Unless it were accompanied by such a provocation, no written censure of the constitution of the government, or of the administration of the government, or of any particular person concerned in administering the government, would naturally tend to incite to any of the acts in question. Unless it were accompanied by such a provocation, the writing would naturally tend to quiet its readers, rather than to incite them to illegal violence; for instead of prompting to illegal violence, as being the apt cure for the real or imagined grievance, it would rather appear to recommend, tacitly and implicitly, the peaceful and lawful pursuit of a lawful and constitutional remedy. Such, certainly, would be the tendency of the writing, if it expressly recommended to its readers the lawful pursuit of the lawful remedy; and if, moreover, it did not provoke to the contrary and mischievous course, either expressly or by intelligible insinuation.

What we have said of censure, (which, as we understand the term, includes statements involving censure, as well as remarks expressing or implying censure,) is applicable, *mutatis mutandis*, to vituperation or ridicule. Vituperation is nothing but censure vaguely and coarsely expressed; and ridicule imports censure of the ridiculed object, though it aims at moving to contempt, rather than to serious indignation.

Our only purpose in making the preceding remarks, is to suggest a test for guiding the discretion of the court in applying penal provisions which are expressed with inevitable vagueness. We are far from intimating approbation of uncandid or rash censure, or of the use of vituperation or ridicule, even in the cases in which such excesses are tacitly tolerated by the Ordinance. Uncandid or rash censure, and the use of vituperation or ridicule, are invariably mischievous; although there are cases in which it would not be expedient to attempt the repression

repression of them by menaces of legal punishment. Accordingly, we hope that the public of Malta may show themselves worthy of the liberty which the Ordinance will introduce amongst them, by severely reprobating every such outbreak of malignant feeling or ignoble taste.

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It is hardly necessary to add, that though a publication coming before the court as an offence, may not have offended against either of the prohibitions in Sections I. II., it may have offended against a prohibition or prohibitions in other sections of Chapter III.

Notes on Section VI.

Note I. "*The government or discipline of the Roman-catholic Church.*"—By the *government* of a church, is meant the system of its government, and not the persons (collectively or individually) by whom its government is administered.

"*Any church or society of Christians, other than &c.*"—By the expression, "a church or society of Christians," is signified any society deeming itself such, or professing to be such. To leave to others to determine whether it merits the character, would defeat the purpose of the law. Every antagonist desiring to attack it with the weapons which the law prohibits, would dispute its title to the character; and if the question were submitted to the court, by what possible test could the court resolve the question, unless it resorted to the test which we have just suggested?

Note II.—As the existence and providence of a Deity is an essential doctrine of the Christian religion, a prohibition of attacks on natural religion would have been superfluous. Attacks on the doctrines of natural religion are implicitly prohibited by the express prohibition of attacks on the essential doctrines of Christianity.

Note III.—The prohibition of attacks on the doctrines of natural religion, or on the essential doctrines of the Christian religion, or on the respective doctrines of the various churches or societies of Christians, is limited to attacks in the way of vituperation, ridicule, or other insult.

Our principal reasons for this limitation may be shortly stated as follows:

1. Argumentative attacks, in the way of serious and decorous examination, could hardly have been prohibited consistently with the requisite freedom of religious discussion. 2. Legal protection to any religious opinion, from serious and decorous examination, tends, in effect, to dishonour and endanger it. It is naturally presumed by those who have not already embraced it, that if the opinion were not unsound, it would not be protected from investigation by legal penalties. 3. In England, France, Germany, and all the more advanced countries of Europe, the government and public opinion have of late evinced a tendency to permit unbounded freedom of religious inquiry; and the same tendency is evinced by most of the more recent decisions of the English courts of justice. Probably, therefore, a prohibition of argumentative attacks, in the way of serious and decorous examination, would not have been enforced.

The prohibition of attacks in the way of vituperation, ridicule, or other insult, is not only perfectly consistent with the requisite freedom of discussion, but tends to promote the purpose which renders freedom of discussion useful and desirable: namely, the advancement and diffusion of religious truth. The prohibition, moreover, gives to the religious feelings of all Christians, and to those of Christians of any particular denomination, all the protection which they can reasonably desire; since little regard is due to any man's resentment at a serious and decorous examination of any of his opinions. To this it may be added, that the prohibition will probably be enforced; for whoever feels the reverence with which so awful a subject ought to be approached, will admit that religious doctrines ought to be protected from insult, although he may not admit that they ought to be protected from argument.

It is hardly necessary to add, that sophisms or groundless statements cannot be considered, for the purposes of the section in question, "vituperation, ridicule, or other insult." A prohibition of sophisms and groundless statements would virtually interdict the argumentative attacks which the Ordinance tacitly permits. Arguments deemed irrefragable by some religious parties, are deemed fallacious by others; and historical facts (real or supposititious) which some insist on or admit, others decidedly reject, or receive with hesitating assent.

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Notes on Section VIII.

Note I. "*Censuring.*"—The publication will fall within the prohibition, whatever be the nature or the form of the censure: whether the censure be serious or ironical; be express or implied; consist of an imputation of general misconduct, or of an imputation of misconduct in a specific instance or instances. A statement of alleged misconduct, unaccompanied with express inferences against the person, but leading others to draw inferences against him, will, therefore, amount to censure, as the term is understood in the Ordinance.

Note II. "*A person in a private capacity.*"—For the import and extent of this expression, *see* Note VI. on Section VIII.

It is scarcely necessary to remark, that a libel on a public person in any of his private capacities, (as, for example, on a public functionary in his capacity of parent or child,) will fall within the prohibition in Section VIII.

Note III. "*If the publication tend to defame the person &c.*"—We mean by the term *defamation*, not the censure or insult itself, but its actual or probable consequence: *i. e.* the loss or diminution of good fame or reputation, which it produces or tends to produce. The term *defamation* is exactly equivalent to *minutio existimationis:* the Roman law expression for a total or partial loss of good fame or reputation.

The purpose of the prohibition in Section VIII. is to prevent publications of writings censuring or insulting persons in private capacities. Any such publication will fall within the prohibition, whether it have or have not a tendency to defame the person censured or insulted. Although it have not that tendency, it tends, at least, to wound the feelings of the person; and, therefore, it ought to be visited with legal punishment.

It is easy to imagine cases in which the censure or insult would not tend to defame the person. For example, the censure or insult might be too slight to affect his reputation; or his reputation might be so firmly established, or, on the contrary, so thoroughly shaken, that the sharpest censure or the most pointed insult could hardly destroy or damage it.

Though a tendency to defame is not of the essence of the offence, we have thought that a publication having that tendency ought to be visited with a heavier punishment than a publication which has not that tendency. In the latter case, the only mischief of the publication is the probable wound to the feelings of the person; in the former case, this mischief is accompanied by probable damage to his reputation.

Before the court can inflict the heavier punishment, it must decide that the publication has a tendency to defame. But if the publication were within the terms of the prohibition, the court might inflict the lighter punishment, without regarding its tendency; for it is presumed by the prohibition, tacitly and conclusively, that every publication within its terms tends to wound the feelings of the censured or insulted person. (*See* Note III. on Sections I. II.)

A libel on a private person is professedly subjected to punishment by the English criminal law, not for its real tendency to wound his feelings or reputation, but for its presumed tendency to provoke him to a breach of the peace. In the great majority of cases the libel has no such tendency; inasmuch as the injured person patiently endures the wrong, instead of assaulting the libeller, or challenging him to fight a duel. The legal presumption, therefore, is little better than a fiction, and tends to conceal the satisfactory considerations of utility upon which the law is really established.

Note IV.—It will be seen from Note III. on Section I. Chapter V., that if a defendant be accused of an offence against the prohibition in Section VIII. Chapter III., it will not be competent to the court to admit the truth of the writing, as a defence to the accusation.

That the truth of the writing ought not to be admitted as a defence to any accusation under the prohibition in question, will (we believe) appear sufficiently from the following explanation and reasons:

The attacks upon private persons, prohibited by Section VIII., are of two kinds: namely, attacks in the way of vituperation or ridicule, and attacks in the way of censure. The attacks in the way of censure are of two sorts: namely, imputations of general misconduct, and imputations of misconduct in a specific instance or instances.

Now

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Now vituperation or ridicule, apart from the imputation of misconduct which it may imply, can neither be proved nor repelled by proof. In this respect, a general imputation of misconduct, so long as it remains general, is equivalent to vituperation or ridicule; for until the accuser descends from generalities, and specifies the imputed misconduct, he cannot demonstrate the truth of the imputation, nor can the accused demonstrate its falsity. The only cases, therefore, in which it would be possible for the defendant to prove the truth of the writing, are cases of the following descriptions: 1. Cases in which the writing had imputed specific misconduct, and in which he might prove to the court the truth of the specific imputation. 2. Cases in which the writing had imputed misconduct generally; but in which he might prove to the court the truth of the imputation, by proving the imputed misconduct in a specific instance or instances.

It will probably be thought by all, that vituperation or ridicule of private persons ought to be prohibited; and that *false* imputations of misconduct, on similar persons, ought to be prohibited also. An attack on a private person, in any of those various ways, tends to wound his feelings, and, perhaps, to detract from his reputation; whilst the probable evil to the particular individual is not compensated by a probable good to the public.

It may, however, be thought by many, that a defendant who has imputed misconduct to a private person, should be permitted by the court to prove the truth of the imputation, in one of the two ways to which we have adverted above: *i. e.* that if he has imputed specific misconduct, he should be permitted to prove the truth of the specific and precise imputation; and that if he has imputed general imisconduct, he should be permitted to prove the truth of the general and vague imputation, by proving the imputed misconduct in a specific instance or instances. Now a general and vague imputation cannot be proved by the defendant, so long as it retains its generality and vagueness; and if he offers to prove the imputation, by proving an instance or instances of the imputed misconduct, the offer changes the character of the imputation, and renders it specific and precise. In effect, therefore, the opinion which we have just stated amounts to this: that a *true* imputation of *specific* misconduct, on a person in a private capacity, ought not to be visited with legal punishment.

The following are the principal arguments by which the opinion is commonly maintained. 1. A good reputation acquired by the delinquent may be damaged by the true imputation. The delinquent, however, is not wronged by the imputation, although it be followed by that consequence; for the public fairly concludes from the particular delinquency, that he has not deserved the good reputation by his general conduct and his moral dispositions. A good reputation, though acquired by desert, may be damaged by a *false* imputation; but whenever a good reputation is damaged by a *true* imputation, the damage itself evinces that the good reputation is unmerited. 2. By exposing the delinquency to the censure of the public, the true imputation deters the delinquent and others from similar and other delinquencies; and any evil which it inflicts upon him, in wounding his feelings and harming his reputation, is greatly outweighed by the good which thus accrues to the public.

A distinct statement of these popular arguments nearly suffices to confute them. We will, however, examine them, in the order in which we have stated them.

1. The conclusion drawn by the public, from the particular delinquency, against the general conduct and the moral dispositions of the delinquent, is seldom fair, and is commonly unjust.

Unless the public knows completely the circumstances of the fact (or facts) constituting the delinquency, it cannot conclude correctly from that particular fact to the general conduct and the moral dispositions of the delinquent. If those circumstances were known completely, it might appear that the fact is innocent, or, at least, venial; and, consequently, that it offers no presumption, or an extremely slight one, against his general conduct and moral dispositions. Or, though it appeared that the fact was not innocent or venial, it might appear that his moral dispositions are less depraved or faulty, than the fact, apart from the circumstances, leads the public to suppose them; and since his moral dispositions are the least fallible index to his general conduct, it might appear that the latter is not to be construed by the fact from which the public rashly concludes against it.

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Now it is clear that the particular fact, as connected with his general conduct and moral dispositions, is an integrant part of his whole life; and that it cannot fairly be detached from the other parts of his life, and considered as a solitary incident. The circumstances of the fact, as the fact is thus connected, are, therefore, extremely numerous; and, consequently, the number of those circumstances which reaches the public, through the imputation itself or any explanation by the delinquent, is extremely small and insignificant. The imputation itself naturally conveys the fact with few or none of those numerous circumstances; whilst any explanation, in the way of a justification or apology, which the delinquent attempts, is necessarily incomplete. To this it may be added, that if his explanation were complete, or even approached to completeness, it would be of necessity so complicated and tedious, that the public would not regard it, and could not understand it though it did.

The conclusion drawn by the public, though drawn from a truth, is drawn from a partial truth. Now a partial statement of a truth is equivalent, in effect, to a suggestion of a positive falsity; as is shown by the promise to tell the *whole* of the truth, which is taken from witnesses in courts of justice. The argument which we are examining owes the whole of its plausibility to its ambiguous use of the word *truth*. It confounds the truth of the imputation as relating to the particular delinquency, with the imagined truth of the imputation as relating to the conclusion drawn from it. In relation to the particular delinquency, the imputation is substantially true; but in relation to the conclusion which the public draws from the delinquency, the imputation, being partially true, is likely to be false in effect.

It results from the foregoing examination, that the imputation itself, and the conclusion drawn by the public, are commonly unjust. A particular delinquency is picked unfairly from the whole of the delinquent's life; and is then offered to the public, and accepted by it, as a specimen of the entire man.

It may be said that the imputation would scarcely injure the delinquent, in the manner on which we have insisted; since the public would scarcely conclude from the particular fact, against his general conduct and moral dispositions. Now, supposing that it reasoned on the evidence before it with the requisite candour and caution, the public would stop at the fact of the imputed and proved delinquency; and, conscious of its imperfect knowledge of the justifying or extenuating circumstances, would abstain from censuring the delinquent. But, upon that supposition, the imputation would not have a tendency to deter the delinquent or others from similar or other delinquencies; and it, therefore, might wound the feelings of the particular individual, without the smallest advantage to the interests of the public.

Commonly, however, the unfair conclusion is drawn by the majority of the public whom the imputation reaches. It is chiefly as giving them a handle for censuring or reviling the delinquent, or as giving them a pleasant opportunity for turning him to ridicule, that the imputation rouses their curiosity, and fixes their attention. Unless it panders to their appetite for scandal, or to their love of lowering the reputation, and depreciating the merit of their neighbour, it passes unheeded, or is speedily forgotten.

2. The true imputation has none of the alleged tendency to deter the delinquent and others from similar and other delinquencies.

Instead of strengthening the useful restraints imposed by public opinion, imputations of the kind in question have a tendency to weaken them. Owing to the impunity of such imputations, men's general conduct and moral dispositions are grossly misconstrued by the public; and, consequently, they learn to despise and defy so shallow and unfair a tribunal, even when the judgments which it utters are justified by public utility. And here we may remark, by the bye, that most imputations of the kind in question are conveyed to the public through the periodical press; and, consequently, the impunity of such imputations impairs the dignity and usefulness of that great instrument of instruction and improvement. The part of the periodical press, which is the vehicle of such imputations, (and of vituperation, ridicule, and calumny,) is generally regarded with merited dislike and contempt; and some of the dislike and contempt is extended to that larger part of it, which, mindful of its noble and beneficent vocation, disdains to descend to such base and pernicious practices.

Perhaps it may be objected to the principles which we have advanced in the foregoing examination, that they would shelter private conduct from the operation

tion of public opinion; and that private conduct would be but feebly restrained, if it were freed from the checks which public opinion puts upon it. We answer, in the first place, that public opinion can hardly operate usefully upon private conduct; and that its intrusions into private life weaken its efficacy in its proper province. In the next place, every man's private conduct lies under many restraints, besides the imaginary checks from the opinion of the general public: it is restrained by the law, by his religious and moral feelings, and by the opinion of the narrower public which is formed of his family and friends. In judging of parts of his private conduct, this limited public is far more forbearing and just than the public at large. It knows him generally, however imperfectly; and it therefore is far less prone than the public at large, to conclude unfairly, from his particular delinquencies, against his general conduct and moral dispositions.

The prohibition of true imputations upon private persons may be thought inconsistent with the following permissions: *first*, the permission of a true imputation of specific misconduct, upon any person in a public capacity; *secondly*, the permission to publish a true report of a judicial trial or inquiry, although the report may convey an imputation of misconduct upon a person concerned in the proceeding. (*See* Section IV. Chapter III., and Section II. Chapter IV., with the Notes upon them). But the true imputation on the public person, or the person concerned in the judicial proceeding, is widely different, in respect of its consequences, from a true imputation on a private person. In the first case, the wound inflicted by the imputation on the feelings and reputation of the person, is, for the most part, comparatively slight; and in the second, as well as in the first, the evil done by the imputation to the particular individual is outweighed by the good which accrues from it to the public.

We will shortly remark, before we conclude the present Note, that, in prohibiting attacks through the press upon private persons, without reference to their truth or falsity, the Ordinance is far from being singular; for the prohibition accords with the provisions for the protection of private reputation, which are contained in the Roman law, the English law, the French law, the law of the kingdom of Belgium, and the law of the kingdom of Greece. We believe, moreover, that the complete protection to private reputation, which the prohibition is fitted to afford against the excesses of the press, is generally desired by the inhabitants of Malta.

Note V.—No civil action is given by the Ordinance, for an injury done to a person in a private capacity, through a printed and published writing. As causing damage remediable by civil action, such an injury is not within the scope of the Ordinance; for the proper objects of the Ordinance are the abolition of the censorship, and the imposition of penal restraints upon abuses of the liberty of publishing. Nor was it necessary that the civil action should be given by the Ordinance; for we believe that the existing law would afford the remedy, if a special or actual damage (and not a merely presumptive one) were done by the injury to the injured person.

Note VI.—Publications of writings untruly imputing specific misconduct to persons in public capacities, are prohibited by Section IV. Publications of writings censuring or insulting persons in private capacities, are prohibited by Section VIII.

Besides the capacities of the two kinds to which we have just adverted, there are certain capacities which are neither strictly private, nor properly public (or political). They are, however, analagous to public, rather than to private capacities; for the conduct of persons in capacities of the kind, directly concerns the interests of the public at large, rather than the special interests of determinate or particular individuals. Agreeably to the use of the expression *quasi*, in the writings of the Roman lawyers, such capacities might be styled appropriately, *quasi-public: i. e.* capacities closely analagous to public capacities, though not properly public. But as this name, however appropriate, would not be justified by usage or authority, we style the capacities in question, *semi-public:* a name expressing sufficiently the nature of its subject, and formed by analogy to various compound names which are unquestionably English.

The following are examples of semi-public capacities, or of persons in capacities of the kind:—1. A candidate for a public office. 2. A member of an incorporated bank, or other incorporated trading company. 3. A director of a charitable

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institution supported by voluntary subscriptions. 4. A person undertaking to apply funds raised by voluntary subscriptions for a particular charitable purpose. 5. A trader. 6. Authors of scientific or literary works, submitting their productions to the public. 7. Sculptors, painters, architects, or musicians, submitting their productions to the public. 8. An actor on a public theatre. 9. A practitioner in surgery or medicine. 10. An advocate, a procurator, a notary, (or any other practitioner of the law), in so far as the capacity in which he officiates is not properly public. 11. A clergyman, a professor at the university, a schoolmaster, (or any other instructor in religion, the sciences, or the arts), in so far as the capacity in which he officiates is not properly public.

We had inserted a provision in the Ordinance, (analogous to the provision in Section IV.), for protecting persons in semi-public capacities from untrue imputations of specific misconduct; but thinking, on further consideration, that the probable inconveniences of the provision outweighed its probable advantages, we expunged it from the Draft. If an injury were done to a person in a semi-public capacity, through a printed and published writing, the existing law (we believe) would afford him a civil remedy, supposing that he were specially damaged in consequence of the wrong. Injuries to persons in semi-public capacities, through printed and published writings, will, therefore, be sufficiently restrained by the civil liabilities which the wrong-doers would incur.

Having suggested the nature of the capacities which we style *semi-public*, we will endeavour to distinguish public capacities from semi-public and private; and to trace the vague and uncertain line of demarcation, by which semi-public and private capacities are faintly and imperfectly separated.

Persons employed or concerned in administering Her Majesty's government in the island of Malta and its dependencies, are the public persons contemplated by the Ordinance. (For the import of the expression, "a person employed or concerned in administering Her Majesty's government in the island of Malta and its dependencies," *see* the Notes on Sections II. IV). For the purposes of the Ordinance, therefore, the notion of a public (or political) person is sufficiently definite. For those purposes, any person, considered as employed or concerned in administering the above-mentioned government, is a public person, or a person in a public capacity.

The import of the expression "private person," or "person in a private capacity," is manifestly negative rather than positive. In so far as a given person is not a public (or a semi-public) person, he is a private person; or (in other words), any of his capacities which is not public (or semi-public) is a private capacity. It follows, of course, from this negative import of the expression, that the number of private capacities (actual and possible) is infinite (or indefinite).

As we have shown already, public capacities are sufficiently distinguishable (for the purposes of the Ordinance) from semi-public and private. But it is impossible to distinguish exactly, by definitions of the kinds, between semi-public and private capacities; and, moreover, it is impossible to enumerate the sorts belonging to either of the kinds, inasmuch as its possible sorts are infinitely various. However, the following distinction, though inevitably vague, will probably be sufficient for practical purposes.—The conduct of a given person, as filling a given capacity, may concern, primarily and directly, the interests of the public at large, rather than the special interests of any particular individual, or of any limited number of particular individuals; or (on the contrary), it may concern such special interests, primarily and directly, and may concern the interests of the general public, by remote consequence only. On the first of the two suppositions, the given capacity (if not properly public) is semi-public; on the second, the given capacity is private.

The court may have to determine, (on the trial of an indictment for an offence against the Ordinance,) whether the capacity, in which the person aimed at is attacked by the writing, be a semi-public or a private capacity. If the capacity be semi-public, the accused will not be liable under the Ordinance; but if the capacity be private, the accused will be liable under the Ordinance, for any vituperation or ridicule of the person, or for any censure of the person (true or false). It therefore will be important, in respect to the liability of the accused, that the court should determine correctly the nature of the capacity in which the person is attacked. In some cases, the court may find it difficult to resolve the question; but, in most

most cases, the court (we believe) will be able to resolve it, by resorting to the distinction suggested in the last paragraph.

The difficulty of distinguishing exactly and certainly, between semi-public and private capacities, is not a difficulty of great practical importance. The application of the provision in Section VIII., which protects private persons from censure and insult, will seldom be impeded by doubts concerning the nature of the capacity in which the person aimed at is attacked by the writing. Fortunately, most private capacities are sufficiently definite; and the remark applies particularly to those private capacities in which the persons who fill them suffer the most acutely from wounds to their reputations and feelings. Such (amongst others) are the private capacities which are consequents or antecedents of the family union; as, for example, the capacity of husband or wife, parent or child.

Note on Section IX.

Publications tending to incite to unlawful violences to public persons in the exercise of their public authority, or to incite to destroy or damage unlawfully the property of the government, are prohibited by Section II. Publications tending to incite to unlawful violences to persons in private capacities, or to incite to destroy or damage unlawfully the properties of persons in similar capacities, are prohibited by Section IX.

For the purposes of this prohibition, any immoveable or moveable thing possessed by a person in such a capacity, may be deemed his property: *i. e.* a thing subjected to a legal right residing in the person, whether such right be a right of property (in the strict acceptation of the term), or be a right less extensive or absolute.

The person and property of a public person in a private capacity, are within the protection afforded by the prohibition; and any publication tending to incite to an unlawful violence to either, would be punishable under it.

The person and property of any person in a semi-public capacity, are also within the scope, though not within the terms of the prohibition.

NOTES ON CHAPTER IV.

Notes I. II. on Sections I. II. III.
Note on Section I.
Notes I. II. III. IV. on Section II.
Note on Section III.

Notes on Sections I. II. III.

Note I.—By these three sections, certain publications which are within the terms of the prohibitions in Chapter III., are exempted from their operation. In the technical language of the English law of libel, such exempted publications are said to be *privileged*. The necessity for the exemptions from the prohibitions arises from the necessity of expressing the prohibitions themselves in terms which are too large: that is to say, in terms embracing publications to which the purposes of the prohibitions do not extend. Such exemptions are analogous to the exceptions, and other qualifying clauses, which occur in testaments and other private instruments, as well as in statutes and other public acts.

The exemptions, in their terms, are restricted to the exempted publications; but they extend, notwithstanding, to contributions to such publications. (*See* Section V. Chapter II.)

Note II.—Having stated the nature of the exemptions in Chapter IV., we will state our reasons for excluding certain exemptions, which, it may be thought ought to have been admitted into the Ordinance.

1. We have not exempted any confidential communication made by a private person to a private person: as, for example, a communication representing unfavourably the character of a servant; a communication putting the person to whom it is made, on his guard against another; or any other communication made through a private letter. The only publications prohibited by the Ordinance are publications of printed writings, and there is hardly an imaginable case in which it can be requisite

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requisite that a communication of the kind in question should be made in print.

2. Although they are privileged by the English law, we have thought it inexpedient to exempt publications answering to the following description: namely, an advertisement addressed to the public (through a newspaper, or otherwise), which, in seeking information concerning a fact that it highly imports the advertiser to ascertain, inevitably inculpates a private person or persons. (*See* Russell on Crimes, Vol. I. page 231.) As the terms of the exemption in question are necessarily vague, its admission would have led to the toleration of many of the mischiefs which the Ordinance is designed to suppress. In an extensive and populous country, the advertisement to the public may be the only means by which the information can be obtained; and this consideration, with the importance of the information to the advertiser, may render it expedient to permit the contravention of the policy of the law of libel. But the extent and population of Malta are so limited, that there is no sufficient reason for exempting the publications in question from the operation of the prohibitions in the Ordinance. An advertisement to the public is not the only means by which the information can be obtained; and the additional facility of obtaining it, which would arise from the privilege of publishing the advertisement, would hardly compensate the tendency of the privilege to defeat the purposes of the law.

3. We have not exempted advertisements addressed to the public by private persons, for the purposes of detecting criminals or preventing crimes; as, for example, an advertisement offering a reward for the seizure of a thief, or warning the public against the practices of a swindler. Such publications (we believe) are not privileged by the English law; nor ought they (in our opinion) to be exempted from the prohibitions in the Ordinance. The purpose of such a publication may be accomplished more effectually, (and without contravening the policy of the law of libel,) by regular legal proceedings. This, at least, is true in relation to Malta; where there is a system of public prosecution, and will be (we hope) an efficient police.

4. Any publication of a printed report of a Parliamentary proceeding, a proceeding in the Privy Council, or a proceeding of any court of justice in the United Kingdom, will be exempted from the operation of the prohibitions in Chapter III., if the printed report, published in these islands, shall have been printed in the United Kingdom. (*See* Section III. Chapter IV., and the Note upon it.) But, with this exception, no publication of a printed writing will be exempted from the operation of those prohibitions, on the ground of the printed writing, published in these islands, having been printed out of them.

If publications of writings printed out of Malta were exempted generally, the purposes of the Ordinance would nearly be defeated; as the purposes of the censorship have nearly been defeated by its restriction to writings printed in the island. Any libellous writing printed out of Malta, but printed specially for circulation in it, might be published in Malta, under the general exemption, with impunity to every person concerned in the publication.

Publications of writings printed out of Malta, and not printed specially for circulation in it, might, it is true, be exempted. But this more limited exemption would either be inoperative, or else would lead to the mischief which would follow from the general exemption. A person concerned in publishing a libel printed out of Malta, might be required by the court, on his trial for the offence, to prove that the libel was not printed specially for circulation in Malta; or the court might presume *de jure*, from the fact of the libel having been printed elsewhere, that it was not printed specially for circulation in the island. On the first supposition, he would probably incur the punishment annexed to the publication by the Ordinance, although he were innocent of any offence against it; for he probably would not be able to produce the proof required of him by the court. On the second supposition, he would probably escape with impunity, although he had offended against the Ordinance; inasmuch as the special proof necessary to repel the legal presumption, would probably not be producible by the public prosecutor.

In consequence of the exemptions in question having been excluded from the Ordinance, a person innocent of any offence against it, may be liable to punishment under it. He may publish, or contribute to publish, a libellous writing printed out of the island, in inevitable ignorance of its libellous quality; and may yet be unable

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unable to repel the presumption (arising from the fact of the publication or contribution), that he published, or contributed to publish, with culpable knowledge or negligently. (*See* Note II. on Sections VI. VII. Chapter II.). But it appears to us, for the reasons given above, that any provision in the Ordinance, for obviating this inconvenience, would amount to a toleration of the mischiefs which the Ordinance is designed to suppress. And in practice the inconvenience will be slight. The government, of course, will not prosecute a person concerned in publishing a libel printed out of Malta, unless there be reason to presume, from the obvious facts of the case, that the libel was printed specially for circulation in the island; or unless there be reason to presume, from the obvious facts of the case, that, though the libel may not have been printed specially for circulation in the island, the person published, or contributed to publish it, for the purpose of producing a mischief at which the Ordinance is aimed.

Note on Section I.

"*An authority from Her Majesty*": *i. e.* an authority from the King or Queen reigning for the time being.

"*A law (or rule of law) in force in these islands.*"—For the import of this expression, *see* Note II. on Section II. Chapter III.

"*A person employed or concerned in administering Her Majesty's government in these islands.*"—For the import of this expression, *see* Note V. on the last-mentioned Section.

A publication made by a court of justice, or by any officer of justice, in the lawful exercise of the authority belonging to the court or officer, will be covered by the exemption in the second paragraph, or by the exemption in the third.

In a cause, or other proceeding in a court of justice, a publication of a printed writing may necessarily be made by a person in a private or semi-public capacity; as, for example, by a party to a cause, or by his advocate or procurator. But an express exemption of such publications would have been superfluous. If such a publication be made regularly (or agreeably to the procedure or practice of the court), it will be made by the court (or by the implied authority of the court), and, therefore, will be covered by the exemption in the second or third paragraph; and if such a publication be not made regularly, it ought not to be exempted at all.

Perhaps the exemptions in this section were not requisite; for in the event of any publication mentioned in the section, falling within the terms of a prohibition in Chapter III., the publication would perhaps be exempted from the operation of the prohibition, by the existing law of the island. But, to obviate the possibility of a doubt, we thought it expedient to provide formally that the publication should be exempted in that event.

Notes on Section II.

Note I. "*A court of justice in these islands:*" *i. e.* any court of justice in these islands, be it superior or inferior, civil, ecclesiastical, or other.

"*Any proceeding &c.:*" *i. e.* any proceeding in any court of justice in these islands, be it the trial or decision of a question of law or fact, or a proceeding preliminary (or otherwise incidental) to such a trial or decision.

Note II. "*A fair statement of the proceeding:*" *i. e.* any statement, full or concise, which may be fitted to convey to the reader a correct notion of the material parts of the proceeding. Consequently, if the reporter omit a part of the proceeding, or add to the proceeding a supposititious incident, and the omission or addition be likely to impress the reader with an erroneous notion of those material parts, the report will be excluded from the exemption.

Note III. "*If the court shall have prohibited any publication of a printed report of the proceeding.*"—We presume that the court could prohibit absolutely, or for any limited time, any publication of a printed report of the proceeding, or of any part of the proceeding. If our presumption be well founded, a provision empowering the court to issue such a prohibition, and to punish a

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person contravening it, would have been superfluous; not to mention, that the insertion of the provision would hardly have consisted with the purposes of the Ordinance. Besides, the clause in Section II., which we have just referred to, will implicitly empower the court to issue such a prohibition, for the purpose of excluding a publication made in contravention of the prohibition, from the benefit of the exemption.

Any publication of a fair report of the proceeding will be covered by the exemption, unless the court shall have prohibited any publication of a printed report of the proceeding, and the report shall be published in contravention of the prohibition. If the proceeding, or any part of it, ought not to be published at all, or ought not to be published immediately, it will be competent to the court to prohibit the publication absolutely, or for a limited time. It would hardly be possible to predetermine by any general provision, the proceedings, or parts of proceedings, which ought not to be published at all, or ought not to be published immediately.

We have thought it inexpedient to restrict the power of prohibition which is given to the court by the above-mentioned clause. For it is impossible to anticipate all the occasions on which the public interests may call upon the court to exercise the power; and the obligation incumbent on the court to state the reasons for any exercise of it, will prevent the court from exercising it improperly. We will remark, however, of the power in question (and of any similar power already possessed by the court), that it ought to be exclusively exercised for important purposes. We will suggest, moreover, by way of example, some of the purposes for which it may be exercised usefully.—1. To prevent such a publication of any preliminary or other incidental proceeding, as might prejudice the interests of public justice; as, for example, a premature publication of a preliminary proceeding in a criminal cause. 2. To prevent the publication of any obscene matter disclosed to the court in the course of a proceeding. 3. To prevent such a publication of any matter so disclosed to the court, as might harm a person in a private capacity; provided that the evil to the particular individual, which is likely to arise from the particular publication, be not outweighed by the good which generally accrues to the public from publications of proceedings in courts of justice.

Note IV.—No publication of a *criticism* on the conduct of a person concerned in a proceeding in a court of justice, will be covered by the exemption; publications of *reports* of such proceedings, being the only publications to which the exemption extends.

It must be remarked, however, that a criticism on a decision of the court, or on a reason given by the court for a decision, or (generally) on the conduct of the court in the proceeding, will be covered by the latitude of discussion on the conduct of public persons which is tacitly permitted by the Ordinance; provided, that is to say, that the criticism be limited to the conduct of the court considered as concerned in the proceeding, and refrain from any imputation prohibited by Section IV. Chapter III. A criticism on the conduct of any other person concerned in the proceeding (as, for example, a party to the proceeding, his advocate or procurator, or a witness), will be covered by the latitude of discussion on the conduct of public and semi-public persons which is tacitly permitted by the Ordinance; provided, that is to say, that the criticism be limited to the conduct of the person considered as concerned in the proceeding, and refrain from any imputation prohibited by Section IV. Chapter III. (*See* that Section and the Notes upon it, with Note VI. on Section VIII.) If a person concerned in the proceeding be censured in a private capacity, the censure will fall within Section VIII. Chapter III.; unless the censure of the person in the private capacity, should be an inseparable portion of a lawful criticism upon him considered as concerned in the proceeding. The censure being aimed at the person in a private capacity, will be within the reasons for prohibiting censure of private persons, which are given in the Notes on the last-mentioned Section; and being irrelative to the conduct of the person considered as concerned in the proceeding, it will not be within the reasons for permitting criticism upon him as regarded from that aspect.

We

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We will remark, in conclusion, that a publication of a fair report of a proceeding in a court of justice, which inevitably inculpates a person in a private capacity, tends to wound his feelings, and to destroy or damage his reputation; and, since the most jealous protection is due from the law to the feelings and reputations of private persons, the publication of the fair report, as exclusively considered from that aspect, ought not to be exempted from the operation of the last-mentioned Section. But, in the case in question, regard for the feelings and reputation of the particular individual must yield to preponderant considerations of public utility. It is desirable that judicial proceedings should be fairly reported to the public; inasmuch as the publicity of judicial proceedings is the best security for a due administration of justice. To this it may be added, that whenever a wrong is redressed, or a crime is visited with punishment, it is desirable that the utmost publicity should be given to the fact. The redress or punishment serves as an example (or shows that the law is not inoperative); and the efficacy of the fact, considered as an example, is commensurate with the extent to which the public is apprised of it.

Note on Section III.

"*A fair abridgment of a report &c.*": *i. e.* an abridgment fitted to convey to the reader a correct notion of the material parts of the original.

A publication of a correct copy, or of a fair abridgment, will be within the exemption, whether such copy or abridgment be made from the report printed in the United Kingdom, or from a copy or abridgment printed elsewhere.

A publication of the original report, or of a correct copy or fair abridgment, will be within the exemption, although the original report be an unfair statement of the proceeding; for it would be hard to render the persons concerned in the publication in Malta, responsible for the fairness of the report printed in the United Kingdom. It is not likely that an unfair report of any proceeding mentioned in the section, should be specially printed in the United Kingdom for circulation in these islands.

NOTES ON CHAPTER V.

Notes I. II. III. on Section I.
Notes I. II. III. on Section II.
Note on Section III.
Note on Section IV.

Notes on Section I.

Note I.—The trial of offences against the Ordinance is given to the Criminal Court, to the exclusion of the ordinary courts inferior to the Criminal Court, and to the exclusion of the extraordinary Court of Special Commission; and, in consequence of this exclusion of the last-mentioned court, no such offence will be tried by a jury. Our reasons for not recommending that such offences should be tried by juries, may be shortly stated as follows:

1. We fear that no jury formed in Malta would try an indictment for libel with due impartiality. The portion of the inhabitants, from which the jury would necessarily be taken, is extremely small; so that almost every juryman would be acquainted with the defendant, and, therefore, would be friendly or hostile to him. In an extensive country, the indictment may be tried by a jury convened from a district in which the defendant is unknown; but the extent of Malta is so limited, that this contrivance for securing a fair trial is there impracticable. In no community, are love of country and sound political knowledge more extensively diffused than in the small state of Geneva; and in no community, therefore, would juries be better qualified, by public spirit and intelligence, for duly discharging their duties. But, for reasons similar to those which we have just assigned, the introduction of trial by jury into the Canton is deemed inexpedient by a large body of its citizens.

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It may be said, that most of the verdicts in the Court of Special Commission have been warranted by the evidence; and, consequently, that the groundlessness of our fear is proved by experience. But, in the first place, the prisoners hitherto tried by that court are only 40 or thereabout; so that the impartiality to be expected from Maltese juries is a question which has not been submitted to a sufficient number of experiments. In the next place, there was nothing in the nature of the offence for which any of those prisoners was tried, to inflame the passions, or rouse the prejudices of the jury. From the impartiality evinced by Maltese juries in trying indictments for murder or forgery, it cannot be inferred that they also would be impartial in trying indictments for libel.

2. In trying an indictment for libel, the judges in the Criminal Court may not be perfectly impartial; but they are likely to evince a greater degree of impartiality than would probably be shown by the best constituted jury. As a body formed for a particular occasion, and merging in the mass of the community when the occasion is over, a jury is scarcely responsible to public opinion; and if it be influenced by public opinion, it is chiefly influenced by the crude opinion of the cause which the public entertains at the moment of the trial. But, as a permanent public officer in a high and conspicuous station, a judge is permanently exposed to public observation and criticism; and, on any particular trial, he, therefore, is chiefly regardful of the sound opinion of the cause which the public will probably arrive at on calm and deliberate reflection. To this it may be added, that any partiality in the judges will be checked by the publicity of the trial; by the obligation incumbent upon them to state the grounds of their decision; and by the searching criticism to which the liberty of the press will subject their judicial conduct. Moreover, we hope that the pains which we have taken to explain the spirit of the Ordinance, would render it difficult for them to warp the letter of it to purposes of injustice.

3. We have remarked already, that the expediency of the introduction of trial by jury into Malta, is a question which has not been submitted to a sufficient number of experiments; and we believe that this is the opinion of many of the inhabitants who are most competent to form an opinion on the subject. If longer experience should evince the expediency of the measure, trial by jury can be extended to offences against the Ordinance, as well as to many other offences to which at present it is not applied.

Note II. "*Indictment:*" *i. e.* the act or proceeding (whatever be its name and form), by which the fact ascribed to the defendant as an offence, is submitted to the court which decides on his guilt or innocence. In the language of the Roman law, this act or proceeding is styled the *accusation*; in that of the French, the *act of accusation*; in that of the English, the *indictment* or *information*. We believe that in the language of the Maltese law, it is sometimes styled the *indictment*, and sometimes, the *denunciation*. In the language, however, of the Roman law, the denunciation is not the accusation, but the information given to the public prosecutor by an *index* (or informer).

Note III.—Rules of procedure, to be observed in prosecutions for offences against the Ordinance, could not have been inserted conveniently in the Ordinance itself; for if such rules of procedure had been inserted in the Ordinance itself, they might have affected and disturbed the existing system of procedure, to an extent surpassing incalculably their particular object. But, in prosecutions for offences against the Ordinance, the recommendations and suggestions, which we shall make in the present Note, ought (in our opinion) to be observed as nearly as possible. We believe that all of them are consistent with the existing system of procedure. If any of them be not, it can be introduced into the existing system of procedure, by a subsequent and distinct ordinance.

1. Every prosecution for any supposed offence against the Ordinance, will, of course, be instituted (under the authority of the acting head of the government) by the public prosecutor: *i. e.* by the public officer invested with the powers now belonging to the Attorney-general. Of course, it will be competent to the public prosecutor (with the authority of the acting head of the government) to desist from such a prosecution in any of its stages.

2. We recommend that every indictment for any supposed offence against the Ordinance, shall consist of two counts (or statements): the defendant being charged, in the first, with unlawfully publishing the printed writing; and, in the second, with

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with unlawfully contributing to a publication of it. We recommend further, that the allegations of the fact which constitutes the supposed offence, and the conclusion in law which follows from the allegations, shall be respectively stated in the several counts, as agreeably to the forms suggested in the next paragraph as the practice of the court will permit. The grounds of these recommendations will appear from the subsequent explanations; and especially from the explanations, marked (*a*) &c., which are annexed to the proposed forms.

Allegations and conclusion in the first count (*a*).—That a printed writing (*b*) was published (*c*) by A. B. (*d*), at a time or times after the day of , and at a place or places within the jurisdiction of Her Majesty's Criminal Court (*e*).—That the said writing, published as aforesaid, was of the following purport (*f*): that is to say, &c. (*g*).—That the said publication of the said writing, being of the purport above stated, is one of the publications prohibited by the Ordinance promulgated on the day of (*h*); and that the said A. B., in publishing as aforesaid the said writing, hath offended against the said Ordinance (*i*).—*Allegations and conclusion in the second count.*—That the said writing was published by a person or persons (*j*), at a time or times after the day of , and at a place or places within the said jurisdiction (*k*); and that after the day of , but previously to such publication of the said writing (*l*), the said A. B. contributed (*m*) to such publication thereof.—That the said writing, published as last aforesaid, was of the purport above stated.—That such publication of the said writing, being of the purport above stated, is one of the publications prohibited as aforesaid; and that the said A. B., in contributing as aforesaid to such publication, hath offended against the said Ordinance.

(*a*). It may be impossible to determine with certainty, whether the fact, constituting the supposed offence, amounts to a publication or merely to a contribution to a publication. (*See* Note I. on Sections III. IV. V. Chapter II.). To meet the possible doubt, it is expedient that both counts should be inserted in every indictment. If the fact, as proved on the trial, amounts to an unlawful publication, the court can convict the defendant under the first count; and it will not be incumbent on the public prosecutor to prove the subsequent publication to which the fact contributed. If the fact, as so proved, amounts merely to an unlawful contribution to a publication, the court can convict the defendant under the second count, on proof of the publication to which the fact contributed. If the fact clearly amounts to an unlawful publication, or, on the other hand, to an unlawful contribution to a publication, one of the counts will be superfluous. This inconvenience, however, is extremely insignificant, as compared with the evil of allowing the guilty to escape for want of a brief statement applicable to his offence.

Here we may remark, that, if there be several offenders, (publishers, contributors, or both,) it will be expedient to indict them severally. Every several offender will be guilty of a several and substantive offence, though all the offenders concurred, immediately or remotely, in producing the publication of the libellous writing; and the several offences, or the circumstances respectively proving them, may differ considerably.

(*b*). "*A printed writing:*" *i. e.* the printed writing (or words) subsequently transcribed. (*See* Section II. Chapter II., and the Note upon it.) The book, pamphlet, sheet, &c., on which the writing was printed, may be stated orally by the public prosecutor, at the trial of the indictment. Such book, &c., should not be specified in the indictment, either by its title, or by any other mark.

(*c*). "*Published.*"—The mode of the publication may be stated orally as aforesaid, and ought not to be specified in the indictment.

It will not be necessary to allege in the count, that the defendant published with culpable knowledge or negligently; for, if the publication be within the prohibitions in the Ordinance, the court will presume *de jure*, from the mere fact of the publication, that the defendant published in one of those ways. (*See* Note II. on Sections VI. VII. Chapter II.).

 (*d*) Here

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(*d*). Here describe the defendant by his proper name, or by any mark sufficient to distinguish him.

(*e*). "*After the day of* ": *i. e.* after the first day in the period of a year, which immediately preceded the commencement of the prosecution. Unless the publication had been subsequent to that day, the defendant would not be responsible. (*See* Section III. Chapter V., and the Note upon it.)

"*At a time or times.*"—The printed writing (or words) may have been published at several times after the first day in the period of a year (*See* Section II. Chapter II., and the Note upon it); and, consequently, at several places within the jurisdiction of the court. The time or times and place or places may be stated orally as aforesaid, and ought not to be specified in the indictment.

(*f*). "*Was of the following purport.*"—Owing to the negligence of the transcriber, or to a mistake which he could not avoid, the writing as transcribed in the count, may vary from the writing as published. If, however, it be merely alleged in the count, that the writing, as published, was of such or such a *purport*, no difficulty, purely technical, will arise from the variance. If the purport of the writing as transcribed, agree with the purport of it as published, the transcription will be accurate enough.

(*g*). Here transcribe (or set forth) the printed writing (or words) which are supposed to be libellous: *i. e.* the publication of which is supposed to be one of the publications prohibited by the Ordinance.

We suppose it will generally be easy to prove sufficiently that the writing transcribed in the count was published by the publication in question. The book, &c., on which the writing was printed, and which was published by the publication in question, may not be producible by the public prosecutor. Probably, however, he will be able to produce to the court another book, &c., of the same impression; and the court (we suppose) will presume *de jure*, that the contents of the book, &c., published by the publication in question, resembled exactly the contents of the duplicate.

We may remark conveniently, in the present place, that, in construing the printed words supposed to be libellous, the court will be bound to ascribe to them their natural meaning: *i. e.* the meaning which they were likely to convey to the person or persons, who, at the publication of them, were likely to read them. It is through their natural meaning, that libellous words are likely to produce the mischief at which the law is expressly or tacitly directed; and the publisher, or the contributor to the publication, may be justly responsible for them, though he did not *intend* them to convey that meaning, nor even *know* that they would convey it. Though he did not intend them to convey that meaning, he may have known that they would convey it; and though he did not know that they would convey it, his ignorance may have been the consequence of his culpable inadvertence to their purport.

It may sometimes happen, that the natural meaning of the supposed libellous words would not appear to the court, sufficiently for the purposes of justice, from the words uncoupled with explanations. The words, for example, may convey the meaning by irony, or through allusions to facts known by the person or persons who were likely to read them; or, if they aim at a particular individual, they may indicate their object by the initials of his proper name, or by a nickname. Now the public prosecutor, in the case which we have just supposed, would be bound to afford the court such explanations of the words as might render their natural meaning sufficiently apparent. Explanations of the kind might be given in the indictment itself, by a statement preceding or following the transcript of the words, or by innuendoes (or glosses on the words) inserted in the body of the transcript. But difficulties purely technical, and tending to defeat the ends of substantial justice, would probably arise from the explanations,

if

if they were given in the indictment. For example, although the public prosecutor might not be able to prove them, he might be able to prove that the words had a libellous meaning other than that which he had suggested in the indictment; but he might perhaps be precluded by the explanations which he had given in the indictment, from proving the libellous meaning which he was ready to substantiate. We think, therefore, that every explanation of the kind should be given orally at the trial by the public prosecutor. If the meaning which he intends to ascribe to the words, be such as the defendant could not anticipate easily, he can apprize the defendant of it, previously to the trial, in order that the latter may shape his defence accordingly.

(*h*) "*The Ordinance &c.*": *i. e.* the Ordinance for abolishing the censorship, and for providing against abuses of the consequent liberty of publishing. The indictment will describe it sufficiently, by stating the day of its promulgation.

(*i*) "*Hath offended against the said Ordinance.*"—The indictment should state generally, that he has offended against the Ordinance; and should not specify the prohibition (or prohibitions) against which he is supposed to have offended. A difficulty purely technical, and tending to defeat the ends of substantial justice, would probably arise from the specification. The fact proved at the trial against the defendant, might amount to an offence against a prohibition in the Ordinance, though not to an offence against the prohibition specified; and yet the public prosecutor might perhaps be precluded by the specification, from proceeding under the prohibition which the defendant had manifestly infringed. But if the indictment state generally, that he has offended against the Ordinance, no such difficulty can arise. At the trial of the indictment, the public prosecutor can accuse, and the court can convict the defendant, of an offence against any prohibition which the evidence may prove him to have broken. If the prohibition (or prohibitions) under which the public prosecutor intends to proceed, cannot be anticipated easily by the defendant, he can apprize the defendant of it, previously to the trial, in order that the latter may shape his defence accordingly.

(*j*) The mode of the publication, and the person or persons who published, should be stated orally as aforesaid, and not specified in the indictment.

Although it will be necessary for the public prosecutor to state and prove the publication to which the defendant contributed, it will not be necessary, in order to the conviction of the defendant, that the publisher or publishers should be previously indicted and convicted. If the publication be within the prohibitions in the Ordinance, the defendant, by contributing to it with culpable knowledge or negligently, will be guilty of a substantive offence. The publishers, moreover, may not be responsible for the publication, although the defendant be responsible for the contribution; for, though he contributed with culpable knowledge or negligently, they may have published innocently.

(*k*) "*After the day of :*" *i. e.* after the first day in the period of a year, which immediately preceded the commencement of the prosecution.

The time or times and place or places may be stated orally as aforesaid, and ought not to be specified in the indictment. *See* the explanation marked (*e*).

(*l*) Unless the defendant's contribution had been subsequent to the first day in the period of a year, he would not be responsible. (*See* Section III. Chapter V. and the Note upon it). The defendant's contribution to the publication will of course have preceded the publication itself.

(*m*) The mode of the contribution may be stated orally as aforesaid, and ought not to be specified in the indictment.

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It will not be necessary to allege in the count, that the defendant contributed with culpable knowledge or negligently; for, if the contribution be within the prohibitions in the Ordinance, the court will presume *de jure*, from the mere fact of the contribution, that he contributed in one of those ways. (*See* Note II. on Sections VI. VII. Chapter II.).

The defendant may answer the two charges contained respectively in the two counts, by confessing the charge which applies to his offence; or, instead of confessing either of the charges, he may answer the indictment by a defence or defences. We propose that the defendant, in the event of his defending the indictment, shall merely plead *not guilty*. We propose, moreover, that he shall advance at the trial, under his general plea of *not guilty*, any defence or defences, founded on fact or law, which he may wish to oppose to any accusation or accusations then advanced by the public prosecutor: as, for example, that he neither published the printed writing, nor contributed to the publication of it; that he published, or contributed to the publication, without culpable knowledge, and without negligence; that the publication is within the exemptions in Chapter IV.; or (if he be accused of an offence against the prohibition in Section IV. Chapter III.) that the imputation in the printed writing is substantially true.

The generality of the indictment above recommended, will obviate many difficulties, purely technical, which might arise from an indictment that particularized the supposed offence. If the supposed offence were particularized by the indictment, the facts as proved at the trial of the indictment, might vary from the facts as alleged in it. These variances might lead to the acquittal of the defendant, though it clearly appeared from the evidence that he had offended against the Ordinance; and, though the indictment were amended and the defendant were tried anew, they would lead to unnecessary expenses and needless delays.

In consequence of the generality of the proposed indictment, the defendant may not be informed, through the indictment itself, of the nature and grounds of the accusation intended by the public prosecutor. In most cases, however, he will be sufficiently aware of them; and in the unfrequent cases in which he may not, the public prosecutor can give the defendant such notices of them as will enable him to meet the accusation with the appropriate defence. To this it may be added, that the disadvantages to which he may be subjected in consequence of the generality of the indictment, will be amply compensated by the advantages which he will derive from the generality of his plea. Since hisdefence will not be specified in his plea, he will not be precluded from adjusting it to the facts which may appear in evidence at the trial of the indictment.

It is desirable that the indictment should particularize the supposed offence, and that the defence should be particularized by the plea. The purpose of the process of *pleading* (or the purpose of the altercations between the parties, which precede the trial of the cause) is to settle the *status controversiæ*; or, in other words, to extricate the *issue* (or the question to be tried) from matters impertinent to it. It appears sufficiently from the mere statement of its purpose, that the purpose of the process cannot be accomplished properly, unless the *pleadings* (or altercations) be *special* (or particular). In modern Europe, however, the process of special pleading is complex and inefficient. It wants the simplicity and efficiency which originally belonged to it, in ancient Rome, in England, and in other European countries. It is carried on by the parties, or by their professional representatives, not orally, but in writing; it is not carried on before any member of the court by which the question will be tried; and it also is encumbered by many obligatory formalities, the neglect of any of which might affect the result of the cause. In consequence of these, and other imperfections in the process, the ends of justice are not unfrequently sacrificed to the mere means by which it is pursued; or, at the least, the pursuit of justice is not unfrequently impeded by needless expenses and delays. On a general and rational reform of the Maltese system of civil and criminal procedure, it may be expedient to give to the indictment and plea the greatest possible particularity; but till then, they ought (in our opinion) to be framed with the generality which we have recommended above.

3. At the trial, the defendant may offer to repel an accusation which the public prosecutor may then advance, by proving the truth of the printed and published

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published writing (or by proving the truth of a part of it). It will not be possible for him to prove the truth, unless the writing (or the part of it) expressly or implicitly alleges a matter or matters of fact; and, though it be possible for him to prove the truth, it will not be competent to the court to admit the proffered defence, in case he be accused under any prohibition in Sections I. II. III. V. VI. VII. VIII. and IX. of Chapter III. There is nothing in any of these eight sections, that expressly or implicitly empowers the court to admit the defence in question. Nor will the court be empowered to admit it, by any rule or maxim of the existing criminal law; for the existing criminal law is tacitly superseded by the Ordinance, in respect to the subjects and purposes which the Ordinance embraces.

The reasons for excluding the defence in question, in the case of an accusation under Section VIII., are given at length in Note IV. on that Section. The exclusion of the defence, in the case of an accusation under Section I. II. III. V. VI. VII. or IX., does not require a long explanation. In the case of an offence against any of these sections, it is manifest that the mischief which the publication is likely to produce, and at which the law is expressly or tacitly aimed, has little or no connexion with the truth or falsity of the writing. Indeed, in the case of an offence against any of these sections (or against Section VIII.), a publication of a truth might tend to produce the mischief, more than a publication of a falsity; or (according to a just, though seemingly paradoxical maxim), "*the greater the truth, the greater might be the libel.*"

In the case of a conviction under any of the eight sections, it will not be competent to the court to admit the truth of the writing, as a ground for mitigating the punishment; or to admit, for the same purpose, the defendant's belief in its truth. Inasmuch as the mischief which the publication was likely to produce, was not dependent on the truth or falsity of the writing, the defendant's guilt was not diminished by its truth, or by his belief in the truth of it.

To any accusation under Section IV. Chapter III., the truth of the writing (or of a part of it) might be an admissible defence; since every imputation prohibited by that section, is an *untrue* imputation of misconduct.

And here we must remark, that the writing may untruly add to the imputed fact, or untruly subtract from it, without affecting the *substantial* truth of the imputation. For example, if the writing impute peculation to a person in a public capacity, it may exaggerate or diminish the money which he has wrongfully appropriated, without affecting the substantial truth of the imputation; for the substantial or relevant truth is the fact of the peculation, and not the amount of the money which he has diverted from public purposes. Now the substantial truth of the writing ought to be admitted as a defence, although the imputation be untrue in an immaterial particular or particulars; for, if the substantial truth were not so admitted, the admission of the truth as a defence would be nearly or altogether illusory.

In the case of a defendant's conviction under the section in question, his reasonable belief in the substantial truth of the writing ought to be admitted by the court as a ground for mitigating his punishment. If the writing had been true in substance, he would not be punishable at all; and though he made the untrue imputation, without examining sufficiently the grounds of its seeming probability, still he was led to the offence by a plausible appearance of truth.

4. Although it is highly expedient that the Ordinance should be rigidly enforced, it is not expedient that offenders against it should be vexed with needless inconveniences. Accordingly, unless the security be clearly requisite, we think that no such offender should be called upon by the public prosecutor, to give security, by bail or otherwise, to appear at the trial, or abide the sentence of the court. In our opinion, it will seldom be requisite to exact the security from him. He could hardly avoid his punishment, by not appearing, unless he retired from the island and lived in banishment; for, during his stay in the island, he could probably be reached by the process of the court, which is usual in cases of contumacy. Exaction of security by bail is especially objectionable. The great inconvenience which it causes is not confined to the offender; but it extends to the innocent persons who are forced by their connexions with him, to make themselves responsible for his appearance.

5. In the case of an offence against the prohibition in Section VIII., we think that the public prosecutor ought not to commence a prosecution, until he has

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consulted with the person (or persons) at whom the libel was directed. It might appear from evidence or arguments produced by the injured person, that his feelings and reputation would suffer additional harm, in consequence of the additional notoriety which a prosecution would give to the libel; and that the evil thus inflicted upon him might outweigh the public advantage which would arise from the enforcement of the law. If this appeared satisfactorily to the public prosecutor, he would probably deem it expedient to abstain from prosecuting, or to desist from any prosecution already commenced.

There are provisions in the French law, (if we remember correctly,) which empower the injured person to prevent or stop a prosecution, in the case of an offence against private reputation.

6. Though publicity of judicial procedure is generally of the highest utility, we think that any accusation under Section VII. ought to be tried with as little publicity as possible. The wide notoriety given to the offence by a perfectly open trial, would greatly aggravate the harm which it had already done; and would probably be more mischievous than the impunity of the offender. Indeed, the expediency of prosecuting the offender (at the risk of making the offence an object of general curiosity) ought to be well considered by the public prosecutor.

Notes on Section II.

Note I.—The system of punishments, now obtaining in Malta, is not merely inefficient, but is positively mischievous. In order to the introduction of a good system, the government must build, at the public expense, a perfectly new and properly-constructed prison; and, in reporting on the urgent necessity for extending and improving the police force, we have strongly recommended that such a prison shall be built with the least possible delay. Till such a prison be built, systematic penal imprisonment will not be practicable; and, accordingly, we have not attempted to determine the nature of the imprisonment which constitutes the regular punishment for offences against the Ordinance. We think, however, that the court, in inflicting the punishment of imprisonment on offenders against the Ordinance, should regard, as far as possible, the following recommendations and suggestions:

1. If the state of the existing prison should render it practicable for the court to punish him in that manner, the offender should be punished with an imprisonment almost solitary. Besides the general advantages of solitary imprisonment, there are special reasons for inflicting it on offenders against the Ordinance. Since such an offender will generally be a person of education, he ought not to be exposed to involuntary contact with the debased herd of the prisoners; and, since the length of his seclusion would of course be proportioned to its severity, a solitary imprisonment would not detain him from his business so long as a laxer confinement. We do not recommend, however, that his imprisonment should be absolutely solitary. To preserve his health from perishing, or to save his affairs from ruin, it may be necessary that his friends and others should be allowed to visit him occasionally.

2. Considering the nature of the offence, and considering that the offender will generally be a person of education, his imprisonment ought not to be aggravated by any degrading addition to it; as, for example, by a prison dress, by compulsory labour, or by involuntary exposure to persons visiting the prison.

3. It appears to us, that no defendant, convicted of an offence against the Ordinance, should be forced to give security, by bail or otherwise, to abstain in future from offences against it; or to give security, by bail or otherwise, for his good behaviour generally. If such security were exacted, the defendant would be loaded with an indefinite inconvenience, in addition to the definite punishment inflicted upon him; and if the security exacted, were security by bail, the indefinite inconvenience would extend to the innocent persons who were forced by their connexions with him to make themselves responsible for his conduct.

Note II.—None of the terms of imprisonment, which are annexed to offences against the Ordinance, is strictly defined. Its duration is merely limited by the assignment of a *maximum*; so that its duration (within the *maximum*) will be fixed by the discretion of the court, in every particular case. If there had been a properly constructed gaol, and systematic penal imprisonment had therefore been practicable, we might, perhaps, have defined the term, or, at least, have determined its *minimum*; but we thought that a definition of the term, or even a determination

determination of its *minimum*, would render the punishment far too inflexible to meet the incessant variations in the state of the existing prison. We think, however, that the court, in fixing the duration of the term (within the *maximum*), should regard, as far as possible, the following recommendations and suggestions:

1. The duration of the imprisonment should be proportioned to the mischievousness of the offence; or (in other words) to the tendency of the offence to produce the mischief at which the law infringed by it is expressly or tacitly aimed.

2. In the case of an offender offending with culpable knowledge, the duration of the imprisonment should be proportioned to the degree of the deliberation with which he offended; and in the case of an offender offending negligently, the duration of the imprisonment should be proportioned to the degree of the negligence by which the offence was produced. (*See* Notes III. IV. on Sections VI. VII. Chapter II.).

3. The fact proved at the trial against the defendant, may amount to several offences against several prohibitions. (*See* Note III. on Sections I. II. III. IV. V. Chapter III.). In this event, the court will of course convict him of the most penal offence, and fix accordingly the duration of his imprisonment.

4. If a person convicted of an offence against the Ordinance shall have been before convicted of an offence against it, the court will naturally punish him with a somewhat longer imprisonment than it otherwise would inflict upon him.

Note III.—A system of punishments by fine, falling equally on rich and poor, could hardly be contrived; and, accordingly, imprisonment is the regular punishment for any offence against the Ordinance. Imprisonment, however, might occasionally produce a pain which would far exceed the suffering usually caused by it; and, consequently, which would far exceed the suffering intended by the law. If, for example, the offender's health were infirm, imprisonment might destroy it; or, if it were impossible for him to conduct his affairs from a prison, imprisonment might ruin them. To meet such cases, the court is empowered, by Section II. Chapter V., to change the imprisonment to which it would condemn him as of course, into an equivalent punishment by a shorter imprisonment and a fine, or into an equivalent punishment by a fine only. The fine imposed by the court, in any of the cases in question, ought to be proportioned to the pecuniary means probably possessed by the defendant; so that the pain from the substituted fine may equal the pain from the commuted imprisonment. If the imprisonment were commuted according to a fixed scale, the fine would not be equivalent to the commuted imprisonment, in respect of its sensible effect. Whilst it would hardly be felt by a comparatively rich offender, it would oppress a comparatively poor one with an incalculable weight of sufferings.

Note on Section III.

It would hardly be reasonable to prolong the liability of the offender during an indefinite time. It is provided, therefore, that the prosecution shall be instituted within the year (or the 365 days) immediately following the time of the offence.

Note on Section IV.

A person prosecuted for a publication of a writing (or for a contribution to such a publication), may have published duplicates (or contributed to publications of duplicates), previously to his conviction or acquittal. It would hardly be reasonable, in the event of his conviction or acquittal, to make him responsible for the publications of the duplicates (or the contributions to the publications of them). If he be convicted, his punishment for the one offence of which he is convicted, will satisfy the purposes of criminal justice; and if he be acquitted, it may be presumed, from his acquittal of the offence ascribed to him, that he ought not to be punished for the publications of the duplicates (or the contributions to the publications of them). If he publishes a duplicate (or contributes to a publication of a duplicate), after his conviction or acquittal, he will justly be responsible for the publication (or contribution); since he will publish (or contribute to the publication) with an ample warning of the probable penal consequences.

COPIES OR EXTRACTS

OF

REPORTS

OF THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

AFFAIRS OF THE ISLAND OF MALTA,

AND OF CORRESPONDENCE THEREUPON.

Part III.

(In continuation of Parliamentary Papers, Nos. 141.–I. & 141.–II., Sess. 1837–8, Ordered to be printed, 16 February 1838.)

[Presented to Parliament by Her Majesty's Command.]

Ordered, by The House of Commons, *to be Printed,*
27 *March* 1839.

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FURTHER CORRESPONDENCE

RELATIVE TO THE

REPORTS

OF THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

AFFAIRS OF THE ISLAND OF MALTA.

[*PRESENTED TO PARLIAMENT BY HER MAJESTY'S COMMAND.*]

Ordered, by The House of Commons, *to be Printed,*
22 *April* 1839.

Correspondence on the Ordinance for abolishing the Censorship.

COPY of a DESPATCH from Lieut.-General Sir *H. F. Bouverie*, K.C.B., to the Marquess of *Normanby*.

(No. 39.)

My Lord, Malta, 19 March 1839.

HEREWITH I have the honour to forward for the approbation of Her Majesty, an Ordinance passed by myself and the Council of Government on the 14th instant, intituled "An Ordinance enacted by the Governor of Malta, with the advice and consent of the Council of Government thereof, for abolishing the Censorship, and for providing against abuses of the consequent liberty of publishing printed writings."

Your Lordship is aware that the draft of this Ordinance was prepared by Her Majesty's Commissioners of Inquiry, and that it was sent out to me by your Lordship's predecessor, with instructions to submit it to the Council of Government, in order to its being passed with such amendments and alterations as the Council should deem fitting.

I have now to state that the only material alteration made by the Council was the omission of the following paragraph, being the third in section 4, chapter 3, of the draft.

"But a publication shall not be within the prohibition contained in the present section, unless the writing specify the imputed malversation."

By this omission, a general charge of malversation, if untrue, against a person employed in administering Her Majesty's Government in these islands is made actionable. The omission was proposed and insisted on by the unofficial members of the Council, and it became evident to me, that unless it had been agreed to, that the whole Ordinance would have been rejected, and therefore it was agreed to; but I am bound to state that it was a matter of indifference to the official members, as far as they could have been concerned.

The Ordinance was passed on the 14th, and promulgated as law on the 15th instant, in obedience to Lord Glenelg's instructions to give immediate effect to the law, with such alterations (if any), as the Council should deem fitting.

I have, &c.
H. F. Bouverie.

(Enclosure.)

Anno Domini, 1839.] [No. IV.

PROCLAMATION by His Excellency Sir *Henry Frederick Bouverie*, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant-general of Her Majesty's Forces, Governor and Commander-in-Chief in and over the Island of Malta and its Dependencies, and Commander of the Troops serving within the same.

THE Governor is hereby pleased to promulgate the following Ordinance, No. IV., passed on the 14th day of March instant, intituled, "An Ordinance enacted by the Governor of Malta, with the advice and consent of the Council of Government thereof, for abolishing the Censorship, and for providing against Abuses of the consequent liberty of publishing Printed Writings:" which is to be observed as law within these Possessions.

By command of His Excellency.

Valletta,
15 March 1839.

(signed) *H. Greig*,
Chief Secretary to Government.

God save the Queen!

(L. S.) *H. F. Bouverie*,
Governor.

Ordinance, No. IV., of 1839.

Correspondence on the Ordinance for abolishing the Censorship.

An Ordinance enacted by the Governor of Malta, with the advice and consent of the Council of Government thereof, for abolishing the Censorship, and for providing against Abuses of the consequent liberty of publishing Printed Writings.

Chapter I.

Censorship abolished.

Sect. I.—Whereas printed writings, printed in these islands, are liable and subjected to the censorship immediately hereafter described; and other printed writings are liable to the same censorship, although in practice they are not subjected thereto: and whereas it is expedient that the aforesaid censorship should be abolished: Now his Excellency the Governor, with the advice and consent of the Council of Government, hereby enacts as follows.

From the day of the promulgation of the present Ordinance, no printed writing shall be subjected or liable to the censorship which is now exercised in these islands by Her Majesty's Government therein.

Consequent liberty of publishing, and force of law given to provisions against abuses thereof.

Sect. II.—Whereas the aforesaid censorship will be abolished by virtue of the enactment in the first section of the present chapter: and whereas a liberty of publishing printed writings (printed in or out of these islands,) will result from the abolition of the aforesaid censorship: and whereas it is expedient that the provisions against abuses of the aforesaid liberty of publishing, which are contained in the second and following chapters, should be substituted for the aforesaid censorship, on the abolition thereof: Now his Excellency the Governor, with the advice and consent of the Council of Government, hereby enacts as follows:

From the day of the promulgation of the present Ordinance, the provisions in the second and following chapters thereof shall have in these islands the force of laws.

Chapter II.

Abuses determined.

Sect. I.—The only publications, and contributions to publications, which are within the purposes of the present Ordinance, are publications of printed writings, and contributions to similar publications; and the only abuses of the aforesaid liberty of publishing, which are within the same purposes, are such publications of printed writings, and such contributions to similar publications as are prohibited in the third chapter and are not exempted in the fourth.

Printed writings defined.

Sect. II.—Any words printed in alphabetical or other characters, and with types or in any other manner, on one or more papers or other substances, shall be deemed, for the same purposes, a printed writing.

Publications defined.

Sect. III.—Any delivery of a printed writing to one or more persons, or any offer to deliver it to one or more persons, shall be deemed, for the same purposes, a publication thereof.

Any exposition of a printed writing, being neither a delivery of it nor an offer to deliver it, which probably might cause it to be read by one or more persons, shall also be deemed, for the same purposes, a publication thereof.

Contributions thereto defined.

Sect. IV.—Any act or omission, causing or helping to cause an actual publication of a printed writing, shall be deemed, for the same purposes, a contribution to the publication.

Publications and contributions equivalent.

Sect. V.—A publication, and a contribution to a publication, are, for the same purposes, equivalent; and any of the provisions in the third and following chapters, which in its terms is restricted to publications, extends notwithstanding to contributions to publications, unless the contrary be declared by another of the same provisions.

What publications,

Sect. VI.—A publication, embraced by a prohibition in the third chapter, shall not be imputed to the publisher as an offence against the present Ordinance, unless he published with culpable knowledge, or unless he published negligently.

He shall be deemed to have published with culpable knowledge if, at the time of the publication, he knew that he was publishing the writing, and also knew that the publication fell within the prohibition. If, at the time of the publication, he was ignorant of those facts, or either of them, but with due attention might have been aware of both, he shall be deemed so have published negligently.

and what contributions, are not imputable to the publisher or contributor.

Sect. VII.—A contribution to a like publication shall not be imputed to the contributor as a like offence, unless he contributed with culpable knowledge, or unless he contributed negligently.

He shall be deemed to have contributed with culpable knowledge if, at the time of the contribution, he knew that he was contributing to the publication, and also knew that the publication fell within the prohibition. If, at the time of the contribution, he was ignorant of those facts, or either of them, but with due attention might have been aware of both, he shall be deemed to have contributed negligently.

Chapter III.

Publications prohibited, and punishments for offending against these prohibitions.

Sect. I.—Any publication tending to incite a person or persons to any act embraced by either of the descriptions immediately following, is hereby prohibited.

Descriptions referred to in the first paragraph of the present Section.—1. Any attempt (or endeavour) to subvert Her Majesty's government in these islands. 2. Any act tending to subvert the aforesaid government, though not being strictly an attempt to subvert it.

Correspondence on the Ordinance for abolishing the Censorship.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 24 months.

Sect. II.—Any publication tending to incite a person or persons to any act embraced by any of the descriptions immediately following, is hereby prohibited.

Descriptions referred to in the first paragraph of the present Section.—1. Preventing or obstructing by violence, or by offering or threatening violence, the lawful execution, or other lawful administration, of a law (or rule of law) in force in these islands. 2. Attempting to prevent or obstruct, in the like manner, the lawful execution, or other lawful administration, of any such law (or rule of law). 3. Preventing or obstructing, in the like manner, the lawful execution of a lawful command from a person or persons employed or concerned in administering Her Majesty's government in these islands. 4. Attempting to prevent or obstruct, in the like manner, the lawful execution of any such command. 5. Disobeying with violence, or with any offer or menace of violence, any such law or command. 6. Impeding by violence, or by offering or threatening violence, any such person or persons in the lawful exercise of his or their authority. 7. Attempting to impede, in the like manner, any such person or persons in the lawful exercise of his or their authority. 8. Doing or offering violence to any such person or persons in the lawful exercise of his or their authority. 9. Destroying or damaging unlawfully, or offering to destroy or damage unlawfully, any immoveable or moveable thing possessed by the aforesaid government.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 18 months.

Sect. III.—Any publication of any writing censuring or disrespectfully mentioning Her Majesty the Queen, is hereby prohibited.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

Sect. IV.—Any publication of any writing embraced by the description immediately following, is hereby prohibited.

Description referred to in the first paragraph of the present Section.—Any writing untruly imputing malversation in administering Her Majesty's government in these islands, to a person employed or concerned in administering the same.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

Sect. V.—Any publication of any writing embraced by the description immediately following, is hereby prohibited.

Description referred to in the first paragraph of the present Section.—Any writing reviling, ridiculing, or otherwise insulting the person or persons at the head of a sovereign government in amity with the Government of Her Majesty, or reviling, ridiculing, or otherwise insulting the person or persons in any high office under any such sovereign government.

Any publication embraced by the description immediately following, is also hereby prohibited.

Description referred to in the third paragraph of the present Section.—Any publication tending to incite a subject or subjects of any such sovereign government to attempt the subversion thereof, or tending to incite a subject or subjects of any such sovereign government to prevent or obstruct by violence, or by offering or threatening violence, the execution or other administration of any of its laws or other commands, or tending to incite a subject or subjects of any such sovereign government to disobey with violence, or with any offer or menace of violence, any of its laws or other commands.

Whoever shall offend against either of the prohibitions contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

Sect. VI.—Any publication of any writing embraced by any of the descriptions immediately following, is hereby prohibited.

Description referred to in the first paragraph of the present Section.—1. Any writing reviling, ridiculing, or otherwise insulting an essential or fundamental doctrine of the Christian religion; that is to say, a doctrine received by the generality of Christians of every church, society, or denomination. 2. Any writing reviling, ridiculing, or otherwise insulting any doctrine of the Roman-catholic Church, or the government or discipline of the Roman-catholic Church, or any part of its government or discipline, or any ritual or other religious observance of Roman-catholic Christians of any class or description. 3. Any writing reviling, ridiculing, or otherwise insulting any doctrine of the Established Church of England, or its government, discipline or rites. 4. Any writing reviling, ridiculing, or otherwise insulting any doctrine of any church or society of Christians other than the Roman-catholic Church or the Established Church of England, or reviling, ridiculing, or otherwise insulting the government, discipline or rites of any such church or society.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

Sect. VII.—

Sect. VII.—Any publication of any obscene writing is hereby prohibited.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 12 months.

Sect. VIII.—Any publication of any writing embraced by the description immediately following, is hereby prohibited.

Description referred to in the first paragraph of the present Section.—Any writing censuring any person in a private capacity, or reviling, ridiculing, or otherwise insulting any person in a similar capacity.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable as follows: If the publication tend to defame the person censured or insulted in the writing, the offender shall be punishable with an imprisonment not exceeding the term of 12 months; if the publication have not that tendency, the offender shall be punishable with an imprisonment not exceeding the term of six months.

Sect. IX.—Any publication tending to incite a person or persons to any act embraced by either of the descriptions immediately following, is hereby prohibited.

Descriptions referred to in the first paragraph of the present Section.—1. Doing or offering unlawful violence to a person in a private capacity. 2. Destroying or damaging unlawfully, or offering to destroy or damage unlawfully, any immoveable or moveable thing possessed by a person in a similar capacity.

Whoever shall offend against the prohibition contained in the present section, by any publication within the prohibition, or by any contribution to any such publication, shall be punishable with an imprisonment not exceeding the term of 18 months.

Chapter IV.

Publications exempted from the prohibitions.

Sect. I.—A publication made in pursuance of an Act of Parliament, or in pursuance of an authority from Her Majesty, shall be exempted from the operation of any prohibition in the third chapter, in the event of its falling within the terms thereof.

A publication made in pursuance of a law (or rule of law) in force in these islands, shall be exempted from the operation of any similar prohibition, in the event of its falling within the terms thereof.

A publication made by a person or persons employed or concerned in administering Her Majesty's government in these islands, and made in the lawful exercise of his or their authority, shall be exempted from the operation of any similar prohibition, in the event of its falling within the terms thereof.

Sect. II.—If a publication of a printed report of any proceeding in a court of justice in these islands, shall fall within the terms of a similar prohibition, it shall be exempted from the operation thereof. But the publication shall not be within the exemption, unless the report shall be a fair statement of the proceeding; nor shall the publication be within the exemption, if the court shall have prohibited any publication of a printed report of the proceeding, and the report shall be published in contravention of the prohibition.

Sect. III.—If a publication of a printed report of any proceeding in either House of Parliament, or in Her Majesty's Privy Council, or in any court of justice in the United Kingdom, shall fall within the terms of a similar prohibition, it shall be exempted from the operation thereof. But the publication shall not be within the exemption, unless the report, published in these islands, shall have been printed in the United Kingdom, or shall be a correct copy or a fair abridgment of a report which shall have been printed in the United Kingdom.

Chapter V.

Offences to be tried by criminal court.

Sect. I.—Every prosecution for any offence against the present Ordinance shall be directly instituted by the public prosecutor, by means of an indictment to be presented in Her Majesty's criminal court; and every such indictment shall be tried in the said court before three judges.

Commutation of punishment.

Sect. II.—If a defendant to such an indictment shall be convicted of such an offence, it shall be competent to the court to change the imprisonment to which it would condemn him as of course, into an equivalent punishment by a shorter imprisonment and a fine, or into an equivalent punishment by a fine only.

Limitation of the period for prosecution.

Sect. III.—Every prosecution for any offence against the present Ordinance shall be instituted within the three hundred and sixty-five days immediately following the time of the offence; and if the prosecution be instituted after the expiration of that period, it shall not be competent to the court to punish the offender for the offence, or to convict him thereof.

Persons tried not responsible for duplicate publications.

Sect. IV.—If a person prosecuted under the present Ordinance, for a publication of a printed writing (or for a contribution to such a publication), shall be convicted or acquitted at the trial of the indictment, he shall not be criminally responsible for any publication of a duplicate of the writing (or for any contribution to such a publication), which may have taken place previously to the conviction or acquittal.

Passed 14 March 1839,

Wm. Sim, Clerk of the Council.

FURTHER CORRESPONDENCE

RELATIVE TO THE

REPORTS

OF THE

COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

AFFAIRS OF THE ISLAND OF MALTA.

[*Presented to Parliament by Her Majesty's Command.*]

Ordered, by The House of Commons, *to be Printed,*
22 *April* 1839.

M A L T A.

RETURN to an ADDRESS of the Honourable The House of Commons, dated 19 July 1843;—*for*,

COPIES or EXTRACTS of PAPERS relating to the REMOVAL of the Reverend Mr. *O'Malley* from the Office of Rector of the University of *Malta*.

Colonial Office, Downing-street, 14 August 1843. (signed) G. W. HOPE.

— No. 1. —

(Separate.)

EXTRACT of a DESPATCH from Governor Sir *H. F. Bouverie*, K. C. B. to Lord *John Russell*, dated Woolbeding, Midhurst, 3 August 1841.

I REGRET much that I am under the necessity of bringing under your Lordship's notice the state of the University of Malta.

Your Lordship is aware that this University was recently remodelled, according to the recommendation of Her Majesty's Commissioners of Inquiry, with a view to increase its efficiency, and that its annual expense was at the same time increased.

The salaries of the professors are now sufficiently high to procure competent teachers, but the University has hitherto proved a failure, on account of the want of efficient management in the rector (the Canonico Rosignaud) who held the rectorship under the former system, and was continued in his office, being considered by Her Majesty's Commissioners and myself the fittest man to be found at the time, but who, although a highly respectable ecclesiastic, has nevertheless proved to be deficient in those qualifications which enable a man to control a body of professors, and to organise a system of teaching, not only for the University, but for the Lyceum and the normal and primary Schools.

In the meantime, however, in order to enable the rector to retire at once, it will be necessary to make him such compensation as will place him above want. This would be effected by authorising the Governor to grant him an allowance of 100*l.* per annum for three years, in addition to a pension of 40*l.* which he gave up upon being appointed rector, and to which he would revert, and it is more than probable that the local government will be able to provide for him before the expiration of that period.

The compensation would be given to Dr. Rosignaud on the condition of its ceasing whenever the Government should be able to provide for him. I cannot too strongly urge upon your Lordship to consider this proposal favourably; the additional burthen thrown thereby upon the revenue will be but small and temporary; the revenue is in a flourishing state, and your Lordship may be assured, that if a saving can be made in any branch of the expenditure, it shall be done.

— No. 2. —

COPY of a DESPATCH from Lord *John Russell* to Governor Sir *H. F. Bouverie*, K. C. B.

Sir, Downing-street, 27 August 1841.

I HAVE had under my consideration your despatch marked "separate," of the 3d, in which you call my attention to the present state of the University, and to the propriety of facilitating the retirement of its rector, Dr. Rosignaud.

Although it is to be regretted that the person originally selected for the office of rector should have proved not to be possessed of the requisite qualifications, yet

rather than allow that institution to remain in an inefficient state, Her Majesty's Government will sanction the grant which you have recommended, of an allowance of 100 *l.* a year for three years to Dr. Rosignaud, on the understanding that the allowance shall cease whenever, within that period, he may be appointed to a benefice.

In order, however, to guard against the occurrence of a similar difficulty, you will take care to apprise the person who may be selected as the successor of Dr. Rosignaud, that the confirmation of his appointment will be contingent on his successful management of the institution, and that if his services should be dispensed with in consequence of his not proving to be properly qualified, he will not receive any allowance or gratuity by way of compensation.

I have, &c.
(signed) *J. Russell.*

— No. 3. —

EXTRACT of a DESPATCH from Governor Sir *H. F. Bouverie*, K.C.B. to Lord *John Russell*, dated Woolbeding, Midhurst, 3 August 1841.

ADVERTING to my despatch of this date (marked separate), in which I have called your Lordship's attention to the state of the University of Malta, and have proposed that an allowance be given to the present rector in order to enable him to retire, I beg leave to state that in the event of my proposal being acceded to, it is my intention to propose as his successor the Rev. T. O'Malley, whose character and qualifications have been highly spoken of by Lord Morpeth and Mr. Macdonald, and with whose manner and conversation I have been myself highly pleased. Mr. George F. Lewis also, to whom he is known, and who has been kind enough to make inquiries about him, as well as to speak to him on the subject, thinks favourably of him, and I feel pretty confident that if I am enabled to appoint him to the situation of rector, a great change for the better will speedily become apparent in that establishment.

Mr. O'Malley is ready to accept the rectorship upon the present salary, &c., but expresses a hope that should his labours prove successful, an increase may be applied for whenever the present rector shall be provided for, and shall have ceased to receive the compensation asked for in my despatch of the present date.

— No. 4. —

COPY of a DESPATCH from Lord *John Russell* to Governor Sir *H. F. Bouverie*, K.C.B.

Sir, Downing-street, 16 August 1841.

I HAVE to acknowledge the receipt of your communication of the 3d inst. and to acquaint you that I approve of the gentleman, the Rev. T. O'Malley, whom you intend to propose for the office of rector of the University of Malta. You will, however, understand that whenever you recommend him for the appointment in question, it will be necessary that you should report him to be in all respects qualified.

(signed) *J. Russell.*

— No. 5. —

(1469.)

COPY of a DESPATCH from Governor Sir *H. F. Bouverie*, K.C.B. to Lord *John Russell.*

My Lord, Woolbeding, Midhurst, 26 August 1841.

THE Lords of the Treasury having agreed to the grant of a temporary pension to the present rector of the University of Malta upon his retirement, I have the honour to recommend the Rev. Thaddæus O'Malley as a person well qualified for that situation.

I have, &c.
(signed) *H. F. Bouverie.*

— No. 6. —

COPY of a DESPATCH from Lord *John Russell* to Governor Sir *H. F. Bouverie*, K.C.B.

Sir, Downing-street, 28 August 1841.

I HAVE to acknowledge the receipt of your letter of the 26th instant, in which you recommend the Rev. Thaddæus O'Malley as a person whom you consider well qualified for the office of rector of the University of Malta; and I have to acquaint you that I approve of your appointing Mr. O'Malley to that office, it being understood that his appointment shall be subject to the conditions explained to you in my communication of the 27th instant.

I have, &c.
(signed) *J. Russell.*

— No. 7. —

(No. 82.)

COPY of a DESPATCH from Governor Sir *H. F. Bouverie*, K. C. B. to Lord *Stanley*.

My Lord, Malta, 1 December 1841.

I HAVE the honour to report to your Lordship that the Rev. Thaddæus O'Malley, whose appointment as rector of the University of Malta was sanctioned by Lord John Russell, in his despatch to me dated the 28th of August last, arrived here on the 17th ultimo, and from that day assumed the duties of his office.

I have, &c.
(signed) *H. F. Bouverie.*

— No. 8. —

(No. 83.)

COPY of a DESPATCH from Governor Sir *H. F. Bouverie*, K. C. B. to Lord *Stanley*.

My Lord, Malta, 2 December 1841.

NOT having taken any papers with me on my last visit to England, I find that I made a mistake in my agreement with the Rev. Mr. O'Malley, the present rector of the University of Malta, in stating to him that his salary would be 280 *l.* per annum, under the belief that that was the amount enjoyed by his predecessor, whereas I find that it ought to have been stated at 230 *l.*; nor did I discover this mistake until Mr. O'Malley had already left England on his way to Malta. In the agreement with Mr. O'Malley also, it is stated that when the late rector shall come to be provided for independently of any extra charge upon the local revenues, by church preferment, the local government will recommend Mr. O'Malley for an increase of salary, to the extent of 400 *l.* in all; of course this latter condition implies that he shall have given satisfaction, and that the proofs of his efficiency shall have become manifest in the increased prosperity of the University and of education in general in Malta.

For the mistake which I made in the amount of salary I am quite prepared to be the sufferer, and to pay to Mr. O'Malley the difference of 50 *l.* per annum, so long as I shall hold this government; but I consider that as Mr. O'Malley holds no church preferment here, he is fairly entitled to that amount of salary (and under which he would not have come here), beyond what was paid to the late rector, who is a Maltese, with a canonry worth between 70 *l.* and 80 *l.* a year; and I take also this opportunity to state that should Mr. O'Malley prove successful in his efforts to regenerate and establish on a satisfactory footing the system of education here, he will not be overpaid eventually at 400 *l.* a year, which is 50 *l.* under the salary enjoyed by the judges, with whom he ought to rank.

I beg leave, therefore, to request your Lordship's sanction to the present salary

of the rector being settled at 280*l.* instead of 230*l.*; and if your Lordship deems it fitting, I am quite ready to pay 50*l.*, the difference, as long as I continue here in office, having involuntarily led Mr. O'Malley into the supposition that he had accepted an office worth 280*l.*

I have, &c.
(signed) *H. F. Bouverie.*

— No. 9. —

(No. 38.)

Copy of a DESPATCH from Lord *Stanley* to Governor Sir *H. F. Bouverie*, K.C.B.

Sir, Downing-street, 28 February 1842.

I have to acknowledge the receipt of your despatch, No. 83, of the 2d of December last, in which, for the reasons therein assigned, you recommend that the salary of the Rev. Thaddæus O'Malley, as rector of the University of Malta, should be fixed for the present at 280*l.* per annum; and I have to acquaint you that under all the circumstances of the case Her Majesty's Government accede to your recommendation in that respect.

I have, &c.
(signed) *Stanley.*

(Separate.) — No. 10. —

Copy of a DESPATCH from Governor Sir *H. F. Bouverie*, K. C. B. to Lord *Stanley*.

My Lord, Malta, 15 July 1842.

Sir Hector Greig has informed me that he has communicated to your Lordship the opinion formed by Mr. Lewis of the unfitness of the Rev. Mr. O'Malley for the office of rector of this University, and which opinion Mr. Lewis has made known to me, and has advised me to signify to Mr. O'Malley the expediency of his retiring, he having accepted the office upon trial.

I am aware that Sir Hector Greig entirely coincides in the opinion expressed by Mr. Lewis, and I am also aware that such was the opinion formed by Mr. Robt. Hay, who had fair opportunities of judging during his residence here last winter, when, in consequence of my wishes, he paid great attention to the mode of education, and to the rector himself in particular.

In consequence of Mr. Lewis's advice, I have signified to Mr. O'Malley that he is expected to retire, but as he has asked my permission to go to London during the vacation in order to see Mr. Lewis previous to sending in his resignation, I have given him leave to do so.

I have been induced to agree to this because I am not aware that any public inconvenience is likely to arise from it.

Although I think more favourably of Mr. O'Malley than many others do, it is not my wish, under all the circumstances of the case, that he should be retained as rector, for when the opinions which have been given against him come to be known, and known they certainly will be, no individual support which I could give him would be sufficient to ensure him a chance of success, nor should I feel justified in attempting to establish him here against the opinion of those who will remain when I am removed from the Government. I think it better that he should yield to circumstances and retire; but I am anxious that it should be rendered as little disadvantageous to him as may be possible, and that it should have the appearance of being his own act should he wish it so to appear.

I have, &c.
(signed) *H. F. Bouverie.*

Should Mr. O'Malley decline to resign, unless his refusal be upon such grounds as are satisfactory to your Lordship, I beg to suggest that his appointment shall cease on the 30th of September next.

— No. 11. —

(Separate.)

COPY of a DESPATCH from Governor Sir *H. F. Bouverie*, K. C. B. to Lord *Stanley*.

My Lord, Malta, 16 July 1842.

I HAVE the honour to transmit a letter addressed to your Lordship by the Rector of this University, the Rev. Mr. O'Malley, which he has put into my hands for that purpose.

It does not appear to me that this letter calls for any remark from me, further than that I do not perceive in it any want of accuracy in the details stated; but neither do I discover in it anything to make me alter my opinion of Mr. O'Malley's not being likely to be successful as rector. He states his object to be to gain an unprejudiced hearing.

I have, &c.
(signed) *H. F. Bouverie.*

Enclosure 1, in No. 11.

University, 16 July 1842.

I SEND your Excellency the letter you were so good as to say you would forward. All I ask of your Excellency is, to try to secure for the case an unprejudiced hearing; that is not asking much, and surely it deserves that much.

I have, &c.
His Excellency the Governor. (signed) *T. O'Malley.*

Enclosure 2, in No. 11.

My Lord, University, Malta, 16 July 1842.

I RESPECTFULLY beg leave to lay before your Lordship, in the briefest possible space, the present state of the question of the long-agitated reforms for this College, and an account of my conduct in relation thereto, understanding that the prudence of that conduct has been seriously questioned at home.

A few weeks after my installation as Rector of this University, I received a Government letter, dated 8th December 1841, "calling my attention to the Statute (under which it is governed), with a view of submitting to his Excellency my opinion as to what parts of it it may be necessary to alter," in order to render it more effective, and requesting me to send in that opinion "within the course of three or four months."

My first step was, naturally, to inquire what had been already done in the matter. Upon looking over our archives, I found a Government letter, bearing date the 11th December 1839, addressed to my predecessor, complaining that "after the lapse of a year since the new organization of the University," no progress was made towards framing the regulations for the course of studies, as contemplated in the Articles 146, 171, and 172 of the Statute, urging the vital importance of said regulations for the well-being of the institution, and pressing upon him to have them submitted for approval "with as little delay as possible."

In August of the following year, 1840, the Council of the University charged with the drawing up of the course of studies had made no further progress in their task than agreeing upon the adoption of a triennial course, with triennial admissions, to supersede the quadrennial course and biennial admissions of the Statute. They asked permission of the Government to prepare a project of studies upon that basis; and by an official letter, bearing date 12th August 1840, power is given them "to prepare a scheme of studies, taking for a basis the proposed alteration."

In January of the subsequent year, 1841, the Council again asked leave, besides the change to a triennium, to propose other alterations of the Statute; to wit, "in the formation of their Progetto to add new matter to that indicated in the Statute, and to transfer some branches of study from the Lyceum to the University, and from one faculty of the University to another." In an official letter, under date 22d January 1841, this is also accorded them.

From that time, however, up to my arrival in November last, they had matured no complete system of studies. It appears, indeed, from the record of their proceedings, and I beg your Lordship to note the fact, that some integral portions of the general scheme were actually agreed to in the Council, and that those portions are adopted into my Progetto almost *tales quales.*

Thus, my Lord, it appears that the Council of the University was engaged for three years with a Progetto of studies, without being able, after all, to form one. The Council being suspended, it was put upon me, and for that, in fact, was I sent out, to do what they had failed to do. In such a critical position, I felt it would not be expedient to

propose to the Government at once a definitive plan. It would be likely, I thought, to encounter the hostility of all parties. It seemed to me more prudent to consult first the public voice, and then, after hearing all opinions, to propose that plan which would appear to be the best and the most likely to conciliate the greatest number of adherents. Having explained these views to his Excellency the Governor, I had his permission to get my Progetto printed at the Government press; but yet merely as my individual act, for it was clearly advisable not to commit the Government to it in that its first shape, as a mere proposition challenging criticism.

It also seemed prudent not to put forward from myself that scheme of studies, but rather to let it go forth as the proposition of the professors and preceptors, not only because, as such, it would be sure to find some share of sympathy from the public, but also because it is clearly useful that they who have to teach should have a leading voice in deciding the matter to be taught. Each of the plans of study in the Progetto had the full adhesion of the several professors and preceptors; nay more, those several professors and preceptors participated so largely in the formation of those plans of study, that they are far more theirs than mine; of this fact I will take to London authentic evidence. I further thought it advisable to put forward in the Progetto something more than I intended ultimately to propose, with a view, that by giving up something, I might be able to win over some of those whom I understood to be opposed to any reforms at all.

The opposition offered to the Progetto was but a continuation upon another field of the debates of the Council. It was led by Dr. Schinas; and when we consider all his former conduct in relation to the subject, it appearing by the acts of the Council that he contributed more than anybody else to mar its proceedings; when we consider the extent to which his *amour propre*, as one of the authors of the Statute, engaged him to oppose its reform; and take into account the further circumstance, of his twice dismissing his class to receive and intrigue with Ryllo, we may be allowed, I think, to look with some suspicion on his opinions.

Then comes Mr. Sciortino and the *Portafoglio*. But Mr. Sciortino, though a very different man from Schinas, is not altogether without a bias upon the question either. Setting aside, however, all question of bias as to the one, or of suspicion as to the other, and taking what they both have written at its intrinsic worth, I am prepared to show that the far greater part of it is irrelevant or inconsequent; and, so far as it contains any fair objections, I have shown every willingness to profit by it.

The *Mediteraneo*, on the other hand, which has at least as many readers as the *Portafoglio*, and which can have no bias in the matter, has not only sustained the Progetto, but even goes beyond it. And the only learned society we have here, the *Societa Medica*, after calmly and deliberately considering the matter in repeated sittings, are now printing the Report they have agreed on, which is also favourable to the Progetto. In short, my Lord, so far as I have been able to ascertain, it seems to me that the impartial and unbiassed portion, and the most enlightened portion too, of this public, incline decidedly that way.

You have seen, my Lord, by the official documents quoted above, how untenable are the objections to the Progetto—and these are the ones most relied on by its opponents—of its "adding new matter" to the studies, of its "transferring some studies from the Lyceum to the University," and "from one faculty of the University to another," since for each one of those changes, besides that of the triennium, there is the sanction of official letters.

Thus, my Lord, do I show that in putting forth the Progetto, I was sustained by the unanimous adhesion of all the professors and preceptors, not even excepting Messrs. Schinas and Sciortino, each for his own faculty, and by the cordial co-operation of many of them; that when published it was supported to as great an extent as it was reasonable to expect, and by persons and bodies above suspicion; and that the opposition to it, whilst of a questionable character as to its sources, runs upon infirm ground, and is in its main allegations contradicted by official evidence.

It now only remains for me to show how I have sought, agreeably to my original intentions, to conciliate that opposition, and what a fair chance now offers itself of my succeeding in doing so. The leaders of the opposition, Messrs. Schinas and Sciortino, having nearly finished what they had to say, the latter entirely so, I opened lately a correspondence with them, explaining to them my views as expounded above, inviting them to compare notes with me, and try how far we could agree. Schinas, as I anticipated, backed out of the task, but Sciortino has met me more fairly. We had a long sitting a few days ago, and went over the whole of the Progetto, and I found that the difference between us was very far indeed from being so great as the articles in his paper, the *Portafoglio*, would lead me to suppose. That, however, is easily explained: those articles, it appears, were not all written by him. He would cheerfully yield something of his opinions to put an end to a controversy that has lasted already too long; and thinks fully with me, that it would be most desirable, and sure to lead to a good result, to refer the whole question to London, where it would be easy for your Lordship to find persons acquainted with Malta, and cognizant of such matters, such as Mr. Lewis, for instance, who might readily form a peremptory decision upon it. Sciortino, who is the representative of one party here, speaking with reference to this question, and I, who have the confidence of the other, are both ready to abide by such decision; and I am fully prepared to lay before the parties selected to make it all the local and special information that may be requisite. It would be, I am persuaded, no very difficult task to make a fair compromise between the antagonist opinions; and as everybody is pretty well tired of the controversy, it would, in all probability, be very well received; whilst, on the other hand, would it not, my Lord, be almost ridiculous,

ridiculous, if after four years of debating, no plan of studies could be devised for a little college like this.

I now put it to your Lordship whether, in this aspect of the case of the Progetto, it looks like a total failure, and whether, all the circumstances considered, and especially the peculiar tendency of this people to find fault with everything, I could well have chosen a more prudent course than that I have followed with respect to it. Would it be dealing fairly with me, my Lord, to deprive me of the benefit of the obvious chances of success now opening upon me, and which are the legitimate issue of my own line of conduct? And apart from considerations purely personal, does it not concern the honour of the Government to show that its appointments are not so exceedingly rash as that must be which is found all at once to be a failure? It would be a pernicious example, and more especially so in this island, and utterly unworthy of the dignity and firmness of a Government like ours, to give up a zealous servant a victim to unreasoning prejudices or self-contradictory calumnies. I hold it, my Lord, to be most important that there should be an Englishman at the head of this institution; but if I am set aside at the first breath of opposition, and allowed no time to overcome or reconcile it, what an enhancement of the difficulties of my successor, supposing him to be English; and as for a Maltese, it would not be possible, I am thoroughly convinced, to find one with sufficient moral courage and sufficient independence of parties to govern it with any efficiency.

It has been objected to me that I have not made myself popular. But, my Lord, what opportunities had I up to this time to become so. The popularity too soon won is as easily lost, and then it seldom comes back. With those I was most amongst, and with whom it was most important I should be popular, the students, preceptors, and professors, I can venture to say I stand very well. I doubt if I am personally unpopular with any class here, except, perhaps, the more violent of Ryllo's followers; to them, indeed, my recall at this moment would be a triumph, and certainly a most inopportune one, for they are sufficiently bold already.

Your Lordship can easily conceive how the interests or ambition of several persons here would naturally prompt them to whisper me down; with them the wish I should fail is, sure enough, "the father of the thought." To any murmurs, therefore, that might possibly reach you from such quarters, I feel assured your Lordship would listen with the proper distrust.

I conclude, my Lord, by humbly hoping, that upon a point so nearly touching my honour, and really of some moment as affecting the credit of our government in this island, I will meet with some forbearance at your Lordship's hands. I am not altogether without claims to it, upon the score of past services in the public cause.

I have, &c.
(signed) *T. O'Malley*, Rector.

P. S.—Your Lordship will have observed, no doubt, that this paper has nothing of the nature of an appeal from this government to the Colonial Office, since his Excellency the Governor is so good as to leave the question unadjudicated. My motive in drawing it up, and transmitting it through his Excellency to your Lordship, was merely to take care that in a case, which, apart from my share of it, I do really believe, on many accounts, to possess a very high interest, at least an outline of it should reach you in the regular form, and with the additional benefit of his Excellency's observations upon it. But a very few days after it shall have met your eye, I hope to have the honour of waiting upon your Lordship personally.

—No. 12.—

(No. 68.)

COPY of a DESPATCH from Lord *Stanley* to Governor Sir *H. F. Bouverie*, K. C. B.

Sir, Downing-street, 31 August 1842.

I HAVE to acknowledge the receipt of your despatch marked "separate" of the 16th of July.

Without now entering into the case of the Rev. Mr. O'Malley, I think it right to apprise you that I have judged it expedient to sanction his sojourn in London for a short time to come.

I have, &c.
(signed) *Stanley*.

— No. 13. —

Copy of a NOTE from the Rev. *T. O'Malley* to Lord *Stanley*.

35, Arundel-street, Strand, Sunday, 7 August.

Mr. O'Malley (Rector of the University, Malta,) presents his best respects to Lord Stanley, and has the honour to report his arrival in town.

Mr. O'Malley is ready and most anxious, and earnestly solicits the honour of an audience for such purpose, to give Lord Stanley such further explanations as his Lordship may require touching the affairs of the University, or in elucidation of the statement he had the honour to transmit to his Lordship through the Governor of Malta by the last Falmouth despatch from that island.

— No. 14. —

Copy of a LETTER from the Rev. *T. O'Malley* to *G. W. Hope*, Esq., M.P.

Sir, 35, Arundel-street, Strand, 22 August 1842.

Will you allow me to offer a few observations in writing on this case of mine, upon the merits of which, though I have met you twice upon it, I have not had an opportunity of saying a word.

For several years the affairs of the University of Malta had given a good deal of annoyance to the local government; it was that circumstance that prompted them to try to put an end to it, by bringing out an Englishman to be rector; I was intrusted with the task. After a good deal of reflection, I point out to the Governor the line of conduct I deem most expedient to follow to attain the desideratum, the permanent settlement of the University question. He agrees with me fully as to the prudence of that line of conduct, and with his direct sanction I enter upon it (you have his admission of all this before you). At the very first step I take upon that line, the publication of the Progetto, I find myself estopped and called upon to resign by a person far distant from the scene of action, and utterly ignorant of all the circumstances under which that step was taken. I need hardly say that I have a great respect for Mr. Lewis; you find a strong expression of it in my statement from Malta, where I suggest to submit the whole question to his arbitration. But it is perfectly clear that when he wrote to Sir Henry about the Progetto, he neither knew, nor could he know, the real history or the policy of it; he merely knew the simple publication of it; and though he had it in his hands, he could not see its ulterior object, and was easily misled by those whom I can prove to be its interested opponents, to look upon it as my ultimatum, or what I proposed to substitute for the Statute; in short, he did not know one word of that circumstantial statement forwarded through the Governor, and to which I beg you again to refer. Thus it appears that Mr. Lewis was not in a position to form a correct opinion upon the Progetto at the time he expressed that opinion; he certainly could have no idea then of how the question stands now; that I should imagine is the only question for us; and when I, who am the really responsible person in the matter, come to throw a light upon it, and defend my own conduct in relation to it, you refer me to a gentleman who is not here to meet me, and who has no sort of official connexion whatever with me or with the case. For the first time the Government has an opportunity of consulting the head of an institution, which has been the subject of a good deal of discussion in one of our colonies, and an institution which, considered in itself, is of no small interest, and yet an unwillingness is shown to go into the case or take his views upon it. Last year a Government letter was addressed to my predecessor, bearing date 5th October 1841, stating that "the Statute and the affairs of the University were at that time under consideration in London." You have now a far better opportunity of taking them into consideration, since you have on the spot in myself the person best qualified, from his position, to present the question in all its points of view, and yet you evince a reluctance to avail yourselves of it. It is a very simple question, after all, for single-minded persons, and has nothing that need alarm one about it; but if preoccupied with graver cares, my Lord Stanley should not be disposed to go into it himself, and as Mr. Lewis is absent, suppose you were to refer it to Sir John Stoddart, who knows

Malta

Malta still better perhaps than Mr. L. To return, however, to myself: I am so confident of my case, so far as concerns the Progetto, that I would leave the arbitration of it to my bitterest enemy. To offer a resignation, therefore, that would be based upon its supposed failure is wholly out of the question; why, sir, so far from being a failure, I actually hold as in a cleft stick my chief opponents on that head. If there be anything else alleged against me, ought I not to be put in possession of it? I cannot believe there is any wish to get rid of me at any rate, for I cannot imagine why there should be any such feeling towards me; most certainly I have never done anything to deserve it. I do not suppose that our Government ever dismisses a servant upon grounds that it would be inconvenient to avow, but is always ready with its reasons; in God's name then, sir, deal openly with me. I offer myself unreservedly to whatever questioning you like upon every matter connected with my administration; put me fairly on my trial first, and speak to me about resigning after. This is obviously the wish of Sir Henry Bouverie; indeed I know it to be his wish. But who can doubt it? How could it be otherwise?

May I hope, sir, you will excuse this trespass upon you: an imperative sense of the duty I owe not to myself only, but to the high trust with which I have been honoured, impelled me to it. I conclude by begging you to put the enclosed into my Lord Stanley's hands, and give him an outline of the contents of this.

I have &c.
(signed) *T. O'Malley.*

— No. 15. —

Copy of a LETTER from the Rev. *T. O'Malley* to Lord *Stanley.*

My Lord, Wednesday Morning, August 23.

I respectfully solicit the honour of an interview for the purpose of laying before your Lordship the present state of the University of Malta, as well as the state and prospects of education generally in that island, and of submitting to your Lordship my views thereupon.

The subject, my Lord, appears to me of sufficient interest to warrant my earnestly calling your Lordship's attention to it.

I have, &c.
(signed) *T. O'Malley,*
Rector.

— No. 16. —

Copy of a LETTER from *G. W. Hope,* Esq. to the Rev. *T. O'Malley.*

Sir, Downing-street, 25 August 1842.

I am directed by Lord Stanley to acknowledge the receipt of your letter to myself, dated the 22d instant, enclosing one to him, dated the 23d instant, and to say that his Lordship will receive you on Monday at half-past two o'clock.

In doing so, however, I must draw your attention to the exact position of the question for decision respecting yourself.

You state, in your note to me, that you do not suppose that "our Government ever dismisses a servant upon grounds that it would be inconvenient to avow, but is always ready with its reasons."

Now I am directed by Lord Stanley to remind you of the peculiarity of your position. You were recommended for the appointment of the Rector of the University of Malta by Mr. Lewis, and that appointment was not conferred upon you absolutely, but only contingently upon your being found to possess the proper qualifications; and that, according to the report of the Governor, which you yourself admitted to be correct, you have proceeded to this country on the understanding that (subject to a reference to Mr. Lewis) you were to tender your resignation. Lord Stanley therefore cannot admit you to an interview for the purpose merely which you intimate, "of laying before him the present state of the University of Malta, as well as the state and prospects of education generally in that island;"

 but

but it must be distinctly understood that the subject of your interview is to be the question of your resignation.

Lord Stanley also further directs me to observe with reference to your complaint, that although you have twice seen me, you have had no opportunity of saying anything upon the merits of your case, that he considers the Governor of Malta the proper person to decide respecting your qualifications, and should he think you unfit generally, then that, according to the terms of your engagement, you would have no right to complain of not being confirmed in your appointment, even though he should advance no specific charge against you. As regards the intervention of Mr. Lewis, of which you also complain, I am directed to remark, that Lord Stanley understands the reference to have been made to him mainly, if not solely, because he was the person who recommended you for the office, and whose judgment had been relied on in appointing you on trial.

I am, &c.
(signed) *G. W. Hope*

— No 17. —

COPY of a LETTER from the Rev. *T. O'Malley* to *G. W. Hope*, Esq.

Sir, 35, Arundel-street, Strand, 26 August 1842.

PRAY excuse my troubling you but for one moment. The following are extracts from the only two documents relative to my appointment which I have thought it worth while to retain :—

8, Bolton Row, May Fair, 5 July 1841.

Sir Henry Bouverie presents his compliments to the Rev. Mr. O'Malley, and at the suggestion of Lord John Russell, requests that he will do him the favour to call upon him on Wednesday morning, before 12.

Dear Sir, 2, Curzon-street, 21 August 1841.

The Government will agree to your appointment as rector of the University of Malta as soon as the consent of the Treasury is obtained, to which no objection is anticipated.

I have been directed, however, to intimate to you, that as this appointment is necessarily somewhat of an experiment, I mean, so far as the appointment of an Englishman to be rector of an university which is at present essentially Italian, it is to be understood, that should your appointment be found not to succeed, you are not to be entitled to any compensation, and that you must take the office upon that understanding.

You may depend upon all the support that the local government can give.

I have, &c.
(signed) *H. F. Bouverie.*

You perceive, Sir, there is no mention here of such a contingency as my "being found to possess the proper qualifications." I should be unwilling to give the question so purely personal a character—the true point at issue is, has my appointment been a failure or not; and upon that head my simple case is this, that to decide upon it definitively at present would be unquestionably premature.

You perceive, also, that there is an "understanding" on the Governor's side, as well as on mine ; without the specific promise of "all the support," most assuredly I would not have taken all the risk.

And you find further, Sir, that I was not recommended solely by Mr. Lewis. I was strongly recommended by Lord John Russell, Lord Morpeth, Mr. Wyse, and others. But I beg you, Sir, not to misunderstand what I said of Mr. Lewis. I consider Mr. Lewis as much my friend now as ever he was. I respect him just as before; and, so far as I am personally concerned, were he here now, I would cheerfully submit the decision of the matter to him. I merely believe he was mistaken, and I am persuaded he would himself be glad to find he was so. But then, as regards the official responsibility, I thought that the circumstance of his having recommended me was not enough to transfer it to him, and that a matter of such considerable moment (in some of its bearings) ought to be referred, in ultimate resort, to the decision of my Lord Stanley. However, this is of no consequence now ; and I merely throw off these few observations by way of explanation,

tion, begging you not to trouble yourself with any reply, as they call for none, and to have the goodness to submit them to his Lordship.

I am quite satisfied that my interview should turn upon the point you have fixed as its subject.

I have, &c.
(signed) *T. O'Malley.*

— No. 18. —

Copy of a LETTER from *G. W. Hope*, Esq. to the Rev. *T. O'Malley.*

Sir, Colonial Office, 29 August 1842.

I am directed by Lord Stanley, with reference to what passed at the interview you had with him to-day, to state to you that he will postpone coming to any decision on the question of your continuing to fill the office of Rector of the University of Malta, until you shall have had the opportunity of communicating with Mr. Lewis, as originally arranged between yourself and the Governor.

Lord Stanley will notify to Sir H. Bouverie that he has authorised your continuance in this country for the present.

I am, &c.
(signed) *G. W. Hope.*

— No. 19. —

Copy of a DESPATCH from Governor Sir *H. F. Bouverie*, K.C.B. to Lord *Stanley.*

My Lord, Malta, 28 September 1842.

Having heard that Mr. O'Malley has had the effrontery to state to Mr. Hope "that he had never made any promise to me to resign under any circumstances, whether Mr. Lewis was satisfied or not, and that with that gentleman he had nothing to do, and that if I had stated that he meant to resign under any circumstances I must have entirely misunderstood him," I think it right to assure your Lordship that nothing could be more clear and explicit than the understanding upon which Mr. O'Malley was permitted by me to go to England, for the purpose of explaining his Progetto, or Scheme of Studies, to Mr. Lewis, and that upon Mr. Lewis's decision he was, if it was against him, to send in his resignation; the permission was given in order that Mr. O'Malley might not undergo the mortification of his being called upon to resign being known here previous to his leaving the island, and it is impossible that anything could be more clearly understood between him and me; and, luckily, in his conversation with Mr. Sim, the acting chief secretary, Mr. O'Malley expressed himself as being bound to abide by Mr. Lewis's decision, in the most explicit terms.

If, therefore, Mr. O'Malley has made the assertion to Mr. Hope as represented, I consider, and I give it as my decided opinion, that Mr. O'Malley has by that breach of faith, independent of all other considerations, proved himself to be entirely unfit for the office of Rector of the University; nor would it be possible for me, were he to come again to Malta, to have any communication with him excepting under the strictest official rules.

I have been inclined to support Mr. O'Malley, believing that he was more deserving than many gave him credit for; but I am now compelled to withdraw that support, and to express my earnest hope that he may not return to Malta in any official capacity.

I have, &c.
(signed) *H. F. Bouverie.*

— No. 20. —

COPY of a DESPATCH from Governor Sir *H. F. Bouverie*, K.C.B. to Lord *Stanley*.

My Lord, Malta, 1 October 1842.

I THINK it necessary to explain, that having heard by the last mail from Sir Hector Greig, who had been detained in England by illness, that Mr. O'Malley had had the assurance to deny having gone to England upon the understanding that he was to abide by Mr. Lewis's decision on his merits, and to send in his resignation in the event of the decision being against him, I sent overland a despatch, marked separate, addressed to your Lordship, but enclosed to Sir Hector Greig, to be delivered to your Lordship in case Sir Hector was quite confident that such an assertion had really been made by Mr. O'Malley.

Having by this mail received a confirmation from Sir Hector Greig of that which he had mentioned in his former letter, I now send the accompanying despatch to your Lordship, which is in fact a duplicate of that enclosed to Sir Hector Greig, but which, in case he should have left England, will not be delivered; and I trust that your Lordship will see how impossible it will be for me to act in concert with Mr. O'Malley after this breach of faith, and his attempt to elude an engagement which, although not made in writing, was perfectly understood by him, by myself, and by Mr. Sim, the acting chief secretary to government.

I have, &c.

(signed) *H. F. Bouverie.*

— No. 21. —

COPY of a LETTER from *George Cornwall Lewis*, Esq. to Lord *Stanley*, dated Harpton, 4 October 1842.

My dear Lord,

I HAVE the honour of informing your Lordship that I have seen Mr. O'Malley, the Rector of the University of Malta, and have received such explanations as he was able to give respecting the causes of his unsatisfactory proceedings in the discharge of his official duties; and I proceed, agreeably with your Lordship's expressed desire, to lay before you my opinion as to the expediency of continuing him in his office, together with the grounds upon which that opinion has been formed.

As I was principally the means of introducing Mr. O'Malley to the notice of the Government, I will begin by explaining the manner in which I became acquainted with him, and my reasons for recommending him as a fit person to fill his present office.

Mr. O'Malley was introduced to me at the end of 1840, or the beginning of 1841, by a letter from Dr. Kay. To the best of my recollection, Dr. Kay stated in this letter that Mr. O'Malley was a severe sufferer by his zeal in the cause of education; that he had published a pamphlet containing some remarks upon popular instruction in Belgium, which had involved him in difficulties with his ecclesiastical superiors; that he had in consequence been suspended from some preferment which he held in the Irish Catholic Church, and was by this suspension deprived of his principal means of support. Dr. Kay added, that he had sent him to me, thinking it possible that the Poor Law Commissioners might be able to give him some employment in connexion with their department. I informed Mr. O'Malley that there was no office belonging to their department to which the Commissioners could appoint him.

I had never heard of Mr. O'Malley before this occasion, and knew nothing of him beyond the information which I received from Dr. Kay and himself.

Some time afterwards (knowing that the improvements in the University of Malta, which Mr. Austin and myself as Commissioners of Inquiry had suggested, had been very imperfectly carried into effect, and that the local government were desirous of making some change in the superintendence of it), I mentioned, in a letter either to Sir Henry Bouverie or Sir Hector Greig, what I knew of Mr. O'Malley, and said that it had occurred to me that he might be tried for the rectorship, on account of the opinions which he entertained on the subject of education, and his independence in avowing them. Sir Henry Bouverie was to visit England in the summer of 1841, and it was agreed that nothing further should

should be done until his arrival. As soon as Sir Henry Bouverie arrived in London, I had several conversations with him respecting the state of the University and of education generally in Malta; and it was agreed that he should see Mr. O'Malley, with the view of determining if he would be a fit person to place at the head of the University. The result of my communications on this subject with Sir H. Bouverie was, that the University was in an unsatisfactory state, and that this state was in great measure owing to the character of the existing rector, a Maltese ecclesiastic, who, although a perfectly respectable man and free from all positive objection, nevertheless did not possess the vigour and practical ability which were requisite for remodelling the University upon the extended plan recommended by the Commissioners.

I may here mention, that nothing but a strong conviction of the difficulty of finding a native clergyman well fitted for superintending the higher and popular education of Malta, would have induced me to advise Sir H. Bouverie to appoint an Englishman to the rectorship. In a Report relative to the employment of Maltese in executive offices, dated the 19th of February 1838 (*see* Reports of Malta Commissioners, Part II. p. 21), Mr. Austin and I stated our opinion, that "in making appointments to offices under the Government of Malta natives of the island ought, generally, to be preferred to Englishmen." We stated further, that "we could not then see any reason why all the administrative offices (excepting those of Chief Secretary, Assistant Secretary, and Auditor-general) should not be filled ultimately by natives of the island." I beg leave to say, that everything which has occurred since the date of that Report has tended to confirm me in the soundness of the above opinion; and had I not thought that the appointment of a Catholic clergyman from the mother country, distinguished for his zeal in the cause of education, and known to entertain enlightened opinions upon that important subject, was likely to be far more beneficial to the island than the appointment of any native clergyman, I certainly should not have advised any departure from the principle which I had concurred in strongly recommending to the Government.

As an additional reason which influenced me, in advising the trial of a new experiment with respect to the superintendence of public education in Malta, I may mention the circumstance, that a young Maltese, named Inglott, who had been sent to England by the Maltese Government, at the recommendation of the Commissioners, for the purpose of gaining a knowledge of the most approved methods of popular instruction, was then about to return to the island, after having gone through a course of training in the school at Battersea, under Dr. Kay's direction. It seemed to me that, in order to enable the island to reap the full benefit of Mr. Inglott's services, it was desirable to take a new departure, and to place the control of public instruction in hands more vigorous than those which had hitherto guided it.

After Sir Henry Bouverie had seen Mr. O'Malley, and Mr. O'Malley had given satisfactory assurances that the displeasure of the Court of Rome was so far mitigated that they accepted the explanation which he had offered to them, Sir H. Bouverie recommended him to Lord John Russell for the rectorship. But before Sir H. Bouverie sent his official recommendation to Lord John Russell, he informed Mr. O'Malley by letter that he would only recommend him for the office upon condition that the appointment should be considered experimental, and that if at the end of the year the Government did not think that his exertions had been successful, he was to retire without being entitled to make any claim for compensation. Mr. O'Malley, in his answer, acceded to this condition, but requested that it might be kept secret, as it might create an unfavourable opinion of his efficiency at the outset. I understand that copies of this correspondence exist in the chief secretary's office at Malta, having been placed there by Sir H. Bouverie upon his return to Malta from England. I state the effect of it upon the authority of Sir H. Greig, not having been able to refer to the original documents.

Mr. O'Malley arrived in Malta, in company with Mr. Inglott, in November 1841, and, as soon as he had entered upon his office, the fullest support was given to his authority by the suspension of the meetings of the Councils, a measure which placed the entire government of the University in his hands.

I may add, that I conversed very fully with Mr. O'Malley, before he left England, as to the nature of the task which he had undertaken, of the difficulties which he would have to overcome, and of the objects which he ought to endeavour

to accomplish; that I believe him to have received all the assistance and countenance which it was in the power of the local government to afford him, and that, as far as I am aware, the circumstances under which he commenced his duties could not have been more favourable.

From what I have stated, it will be seen that I entertained sanguine hopes (and, as I then thought, upon sufficient grounds) that Mr. O'Malley would be able to effect a decided amelioration in the management of education in Malta; I regret, however, to say that these expectations have been completely disappointed.

Since Mr. O'Malley has entered upon his office, he has not, as far as I know, done anything to improve the condition of the University; he has introduced no actual change in its constitution or management, and has not even made any suggestion with respect to either which can be considered as useful or available. Far from contributing any original advice which could assist the local government through their difficulties, he adopted a plan of studies which had been prepared before he entered the island, altogether unsuited to the modest character of the University, and implying a total misconception of the wants and circumstances of the place. Instead of making a report upon the state of the University, as he had been required by the Governor to do, he published this plan, with an announcement, which he had no authority for making, that it would be carried into execution in October following. He has done nothing to bring forward or encourage any person capable of benefiting the University. He has not been able to conciliate support, to inspire confidence, to reconcile existing differences, or to give stability or consistency to the system of studies. The University is now in a state of greater confusion than it was when he undertook the management of it; and the difficulty of settling it satisfactorily has been increased by his injudicious and unintelligible proceedings.

Moreover, he has done nothing for the improvement of the primary schools, he has afforded no assistance to Mr. Inglott, and he has not co-operated cordially with him. He has proposed and begun to carry into effect a plan for introducing into the primary schools a more purely Arabic form of the Maltese language than is understood by the natives, which would unnecessarily augment the difficulties naturally arising from the character and diversity of the languages used in the island.

A native of Malta is preferable, on many and obvious grounds, for the office of rector. His knowledge of the opinions and manners of the people, of the characters of individuals, and of the written and spoken languages, gives him advantages which no foreigner can possess. Nothing would, in my opinion, justify the appointment of an Englishman to that office but his pre-eminent prudence, practical ability, and powers of organization and management. I regret to say, that Mr. O'Malley does not compensate for his necessary deficiencies by any superiority to his predecessor in the qualities last mentioned.

I make no mention of his interference in the affair of P. Ryllo, as it lay out of the range of his official duties. Nevertheless, his conduct in this business affords another instance of his want of discretion.

On the whole, I think decidedly that the experiment of Mr. O'Malley's appointment has failed, and that the Government would not be justified in allowing him to return to Malta as rector. I regret to say, that I should consider his resumption of the office as a serious calamity to the island.

Having originally been the means of recommending Mr. O'Malley to the government of Malta, I have naturally been desirous of finding that my recommendation should prove successful, and I have come reluctantly to the conclusion which I have above expressed. But the evidence of his unfitness was so strong, and came to me from so many quarters on which I placed reliance, that, even if his own public acts had not been quite sufficient to condemn him, I could not resist the conviction which forced itself upon my mind; and I feel that I should be wanting in my duty to the public if I hesitated in expressing this opinion, and the grounds of it to your Lordship.

I greatly regret, on Mr. O'Malley's own account, the necessity which appears to me to exist for removing him at once from his office, inasmuch as I believe him to be zealous and liberal-minded, though, unfortunately, he is altogether wanting in practical skill, in discretion, and in those qualities which enable a public officer to acquire esteem and confidence, and to organize and govern an university with success.

I am, &c.
(signed) *G. C. Lewis.*

— No. 22. —

COPY of a LETTER from *J. Stephen*, Esq. to the Rev. *T. O'Malley*.

Sir, Downing-street, 11 October 1842.

ADVERTING to the arrangement under which the Governor of Malta has permitted you to return to England, for the purpose of communicating with Mr. Lewis, previously to your sending in your resignation of the office of Rector of the University of that island, I have Lord Stanley's directions to acquaint you, that his Lordship has received a report from that gentleman, by which it appears that he has reluctantly come to the conclusion, that it would be inexpedient to allow you to return to Malta for the purpose of resuming the functions of Rector of the University. Mr. Lewis believes you to be zealous and liberal-minded, but has satisfied himself that you have been altogether wanting in practical skill, in discretion, and in those qualities which enable a public officer to organize and govern an university with success.

Such being the deliberate opinion of the gentleman to whose judgment you have appealed, I am directed to add, that Lord Stanley has no alternative but to express his expectation that you will tender your resignation.

I am, &c.
(signed) *J. Stephen.*

— No. 23. —

COPY of a LETTER from the Rev. Mr. *O'Malley* to *James Stephen*, Esq.

Sir, 35, Arundel-street, Strand, 12 September 1842.

I HAVE the honour to acknowledge the receipt of your letter of the 11th inst., conveying to me the expectation on the part of Lord Stanley that I should abide by the decision of Mr. Lewis in the matter referred to.

I beg to state in reply, that I addressed to Lord Stanley on the 10th inst. a letter containing some important details in reference to my case, with which it is proper his Lordship should be acquainted, in order to arrive at a just conclusion upon it; and I have a strong reliance that this further information, which on account of his absence from town he could not have received at the date of your letter, will induce his Lordship to reconsider the matter.

Allow me to add, that the "arrangement" of the Governor has not yet been complied with, and that I have made no such appeal to the judgment of Mr. Lewis as that which you suppose.

I have, &c.
(signed) *T. O'Malley.*

— No. 24. —

EXTRACT of a LETTER from the Rev. Mr. *O'Malley* to Lord *Stanley*, dated 35, Arundel-street, 15 October 1842.

My Lord,

I HAVE received a communication from Mr. Stephen, dated the 11th instant, of which I feel called upon to take some more special notice than the mere official acknowledgment of it I sent immediately to Mr. Stephen.

Mr. Stephen, referring to Mr. Lewis's Report, tells me "Mr. Lewis believes you to be zealous and liberal-minded, but has satisfied himself that you have been altogether wanting in practical skill, in discretion, and in those qualities which enable a public officer to organize and govern an university with success." And, in virtue of this Report, Mr. Stephen expresses, in your Lordship's name, an "expectation that I will tender my resignation."

Now I ask you, my Lord, with all respect, is it reasonable to expect me to acknowledge, by a direct act of my own, the truth of these allegations, coming before me as they do, without one fragment of proof; to plead guilty to an indictment conceived in such vague terms, referring to no overt act whatever, in some of its phrases unintelligible, and in others conveying an untrue impression of the very groundwork of the whole case! What can be the meaning of "practical skill" in reference to the duties of a rector of a college? And what had I to do

with "organizing" an university? My business was to repair, as well as circumstances would allow me, the faults and imperfections of Mr. Lewis's own "organizing."

Then as to the "discretion," it is very possible, my Lord, there might be room for two opinions on that head. What Mr. Lewis deems discreet might not be held such by your Lordship. Then there are two ways of representing things. The very best picture might be put in such a light as to look a mere daub. I admit these "mights" are poor arguments, but how can I help myself to better? I have no facts to deal with. I ask to be tried by the facts, and I find myself condemned by mere opinions.

I do really think, my Lord, that it does not well become Mr. Lewis to talk so confidently of want of discretion upon my part. What could be more indiscreet than his rushing so headlong to pronounce judgment on me in a matter of which I can demonstrate to your Lordship he did not, and could not, know at the time the most important circumstances, doing so at a moment when he was overwhelmed with the business of his own office, and upon the *ex parte* statements of persons whom he knew to be unfriendly to me? What could be more indiscreet than his interfering in so extraordinary a manner in the affairs of Malta, dictating to the Governor, without the slightest reference to your Lordship, how he was to deal with me, the head of an important department of the administration of that dependency?

Mr. Stephen again refers to the "arrangement" of the Governor as to the resignation so peremptorily and so precipitately demanded by Mr. Lewis, and to my "appealing to the judgment" of that gentleman. Again, my Lord, I reply, and repeat that I have never made any such appeal to Mr. Lewis as that supposed by Mr. Stephen, and that the arrangement alluded to has been in no sense complied with. Mr. Lewis has not kept the promise he made the Governor. "Mr. Lewis," says the Governor, in the last note I had from him, dated Palace, July 15, "has undertaken to explain to you the grounds upon which he has formed the opinion of your appointment having proved a failure." Mr. Lewis, my Lord, has done no such thing. Upon the plea of their being confidential, he reserved them for your Lordship. And now here am I, after being dragged away upwards of 1,000 miles from the sphere of my official duties at the bidding of a gentleman to whom I am in no way accountable, in utter ignorance of the why or wherefore; told indeed at Malta, that when I reach London I am to learn all about it; and yet, without learning one word about it, still called upon to resign, and still at the bidding of this irresponsible, incommunicative personage!

— No. 25. —

Copy of a LETTER from *J. Stephen*, Esq. to the Rev. *T. O'Malley*.

Sir, Downing-street, 21 October 1842.

I have laid before Lord Stanley your letter misdated the 12th of "September," in answer to mine of the 11th instant; and I have his Lordship's directions to acquaint you that, in conformity with the distinct intimation given to you on quitting Malta, your employment as Rector of the University has now ceased.

I am, &c.

(signed) *J. Stephen.*

— No. 26. —

(No. 79.)

Copy of a DESPATCH from Lord *Stanley* to Governor Sir *H. F. Bouverie*, K. C. B.

Sir, Downing-street, 5 November 1842.

I have the honour to acknowledge the receipt of your despatch of the 28th September, marked "separate," and to acquaint you that I have apprised Mr. O'Malley that, in conformity with the distinct intimation given to him on quitting Malta, his employment as Rector of the University has now ceased.

You will take an early opportunity to report to me what steps you would propose should be taken, in order to secure the services of a person in all respects competent

competent to undertake the management of that institution. The failure of Mr. O'Malley is of course no conclusive argument against the appointment of an English head, if a fit person can be found; but I should be glad to be favoured with your opinion, whether upon the whole you think it desirable, or not, to repeat the experiment.

I have, &c.
(signed) *Stanley.*

— No. 27. —

COPY of a DESPATCH from Governor Sir *H. F. Bouverie*, K.C.B. to Lord *Stanley*.

My Lord, Malta, 15 November 1842.

I THINK it right to inform your Lordship that I have received a letter, dated the 4th instant, from Mr. O'Malley, in which he tells me that it was signified to him by Mr. Stephen, on the 21st October last, that your Lordship had instructed him to inform him (Mr. O'Malley), "that his employment as Rector had ceased," and that he had replied by a protest that the understanding between him and me was not complied with, and that his removal therefore rested upon a false assumption, and by a request to refer to me as the best judge in the matter; and he calls upon me to say whether his appointment had been indeed that complete failure Mr. Lewis has so hastily decided it to be. In reply, I have stated to Mr. O'Malley that as I consider his appointment as Rector of the University of Malta to have proved a failure, I see no ground for any interference on my part with the decision of the Colonial-office.

I have, &c.
(signed) *H. F. Bouverie.*

PLAN OF STUDIES PROPOSED BY THE REV. T. O'MALLEY.

PROGETTO DI STUDJ PER L'UNIVERSITA E IL LICEO DI MALTA.

Osservazioni Preliminari.

IL corso filosofico, come base di tutti gli studj scientifici, dovrebbe naturalmente essere il più esteso. Perchè poi un siffatto corso fosse più generalmente utile al Pubblico dovrebbe, invece di essere limitato ad una mera introduzione alle facoltà scientifiche, presentare alla gioventù industriosa utili ed onorevoli carriere, coi mezzi necessarj al loro conseguimento, ed alla gioventù agiata una educazione completa senza essere però professionale.

Il corso adunque di filosofia ed arti che si propone per l'Università di Malta e che al Pubblico qui si presenta, oltre di essere una preparazione alle facoltà di medicina, di dritto e di teologia, può anche considerarsi, tanto di per se che cogli studj aggiunti, come un corso sostanziale e completo da poter essere meta di studj per varie classi di cittadini. Desso invero colla sua prima aggiunta (veggasi qui appresso il Prospetto) è inteso a formare, oltre Baccellieri in Arti, anche Agrimensori e Navigatori di prima classe, e colla seconda aggiunta di studj supplimentarj è inteso ad istituire non solo Maestri in Arti, ma eziandio Ingegneri-Civili o Nautici.

Anche senza alcuna delle aggiunte, egli è un corso che offre ad un giovane intelligente ed intraprendente una lucrosa ed onorevole carriera. Un giovane infatti che avesse una competente cognizione del disegno, che conoscesse la geologia, la botanica, la chimica e la fisica, che oltre la lingua francese, inglese ed italiana, parlasse anche l'araba e la greca, potrebbe al certo divenire un ottimo istruttore, o un utile compagno di viaggiatori in Levante.

Supponendo poi che taluno dirigesse principalmente la sua attenzione alle lingue, non riuscirebbe egli un eccellente Interprete presso qualche Ambasciata, o in qualche cancelleria consolare nella Morea, nelle Isole Jonie, nelle varie Colonie greche nel Mar-nero, o in Barberia, in Siria o in Egitto? Potrebbe innoltre un giovane così istruito essere impiegato in una delle grandi case di commercio in Inghilterra, in Francia o in Italia che hanno estese relazioni commerciali cogli anzidetti paesi orientali, o come scrivano per le corrispondenze estere, o come sopraccarico, o finalmente essere destinato a viaggiare con le mercanzie.

Anche a coloro che aspirassero a divenire un giorno negozianti, un tal corso di studj riuscirebbe sommamente proficuo, e quelli infine che per solo diletto e amor dello studio si

dessero a seguire questo corso filosofico, senza mirare al conseguimento di alcuna professione onde procacciarsi il sostentamento, troverebbero il compimento di una educazione civile, e ne avrebbero piacevoli mezzi di meglio godersi le ore di agio.

Gran bisogno v'ha attualmente nell'isola di una classe di Agrimensori migliori di quei che vi sono, quindi è sperabile che questo corso preparatorio, colla sua prima aggiunta, possa formare di tali che sappiano non solo misurare la superficie d'un terreno, ma anche stimare ciò che v'ha sotto la superficie e ciò che avvi di sopra,—la qualità del terreno, ed il valore delle fabbriche.

Egli è pure desiderabile che venga formata una classe d'Ingegneri-civili propriamente qualificati: si è creduto pertanto sufficiente a tale oggetto il corso di filosofia con la seconda aggiunta.

In quanto poi agli studj nautici è superfluo l'osservare, che la situazione stessa dell'isola, posta com' è nel centro del Mediterraneo, sotto la tutela della più grande potenza marittima, e quindi la stazione centrale d'un vasto sistema di relazioni navali, esige in particolar modo che non si trascurino i mezzi che possono qualificare una classe di abili navigatori.

Queste tre classi di studenti, Agrimensori, Navigatori ed Ingegneri, volgeranno principalmente la loro attenzione agli studj più direttamente appartenenti alla carriera che ciascuno si sarà prefisso di seguire.

Perchè in fine ogni ramo d'insegnamento avesse uno scopo di pratica utilità, e perchè più facilmente si potesse conseguir questo fine, durante il corso filosofico si procurerà un' assistenza addizionale e dalle scuole del Liceo—come del disegno, di storia, d'agrimensura, di navigazione, di francese, di greco e di arabo—e dalle altre scuole dell'Università: vale a dire di geologia, di botanica e di chimica.

CORSO TRIENNALE DI FILOSOFIA ED ARTI PREPARATORIO ALLE FACOLTA'.				CORSO DI STUDJ per gli AGRIMENSORI E NAVIGATORI.	CORSO DI STUDJ PER GL' INGEGNERI IN DUE TRIENNII.			
Anno Accademico.	MATERIE.				MATEMATICHE SUBLIMI.			
	Letteratura. N. B.	Filosofia.	Storia Naturale.	Matematica e Fisica.	Anno.	Primo Triennio.	Anno.	Secondo Triennio.
1°	Storia. Didattica. Estetica.	Logica. Filosofia della Storia.	Botanica. Zoologia.	Compimento della Matematica elementare. Trigonometria. Sezioni coniche.	1°	In quest' anno non vi sono studj speciali. [Gli studenti di questa Scuola attenderanno a quelle lezioni della precedente colonna che a loro appartengono.]	4°	Calcolo Sublime. *Disegno.* Ornato.
2°	Eloquenza— Sacra. Politica Civile o Forense.	Metafisica. Storia della Filosofia.	Zoologia. Chimica Generale. Geologia.	Proprietà generali de' Corpi. Attrazione. Meccanica. Idraulica.	2°	Introduzione al Calcolo Sublime.	5°	Calcolo Sublime. Matematica applicata. *Disegno.* Architettura e Disegno di macchine.
3°	Poesia— Epica. Drammatica. Lirica.	Filosofia Morale. Teologia Naturale. Storia della Filosofia.	Geologia. Mineralogia. Chimica Applicata.	Degl' Imponderabili. Calorico. Luce. Elettricità. Magnetismo. Meteorologia.	3°	Geometria Analitica e Descrittiva.	6°	Matematica applicata. Idrometria ed argini. Nautica. *Disegno.* Architettura e Scenografia prospettica.

[Gli studenti di questa scuola saranno esenti dalle lezioni di storia di filosofia ecc. e dalle lezioni di metafisica, filosofia morale e teologia naturale.]

[Corso di Agrimensura e di livellazione e Corso di Navigazione con dimostrazioni sul modello e la manovra.]

Scuola di Disegno. Ornato ed Architettura. Disegno di Navi.

Continuazione e fine delle suddette materie.

Scuola di Disegno. Come sopra.

N. B.—Vi saranno lezioni di lingua inglese, francese, greca ed araba; delle quali, le tre ultime senza essere obbligatorie a veruna classe di studenti, saranno di vantaggio a tutti in generale, e specialmente a coloro, che non tendessero agli studj delle facoltà. Siccome però lo scopo delle lezioni di greco ed arabo, anzi che a formare i giovani compiuti filologi, è piuttosto diretto a dare una tale conoscenza delle medesime, da poter meglio servire ad oggetti di pratica utilità; così non occorre che i Precettori delle dette lingue s'inoltrino tanto innanzi a ricercarne le rispettive delicatezze. Sarà invece loro scopo principale d'insegnare agli allievi di parlarle e di scriverle con facilità ed accuratezza, come cioè si parlano e si scrivono ai nostri giorni.

Il Professore d'inglese però si estenderà di più nelle sue lezioni, procurando di rendere familiari a' suoi allievi i più celebri fra i classici inglesi.—Il Professore di letteratura poi darà un corso completo di belle lettere italiane, preceduto da una serie di letture preliminari, nelle quali farà una rapida analisi critica dei principali classici greci e romani, e nelle quali svilupperà quei principj di buon gusto e di sana critica che sono comuni ed egualmente applicabili ad ogni letteratura. Lo stesso Professore infine trattando de' classici italiani, non tralascerà di fare di quando in quando anche la critica de' più celebri fra gli scrittori contemporanei francesi, tedeschi, spagnuoli ecc.

REGOLAMENTI PER LA SCUOLA DI FILOSOFIA ED ARTI.

Qualificazioni per ammissione, andamento, ordine ed orario delle Scuole.

1. Per essere ammesso alla scuola di filosofia ed arti, onde seguire gli studj preparatorj ad alcuna delle tre facoltà, il ricorrente dovrà subire gli esami nei seguenti rami, e riportarne l' approvazione:

MATEMATICA.—Geometria piana, algebra fino alle equazioni di secondo grado inclusivamente, proporzioni aritmetiche e geometriche, logaritmi.

LINGUE.—*Inglese:* Grammatica, lettura, traduzione all' impronto.

Italiano: Grammatica, composizione corretta.

Greco: Grammatica, le Favole di Esopo, Dialoghi dei morti di Luciano, e il 1mo libro della Ciropedia.

Latino: Grammatica (sintassi e prosodia) Virgilio, le Georgiche, il 1°, 2° e 6° libro dell' Eneide; Orazio, il 1° libro delle Odi; Cicerone, le Orazioni pro Marcello, pro Ligario, pro Milone, la Filippica 2da, i trattati de Senectute, de Amicitia e Somnium Scipionis; i tre primi libri di Tito Livio; Sallustio, Guerra Catilinaria, o Tacito, la Vita d'Agricola; Composizione corretta in prosa latina.

STORIA.—Cronologia storica antica e moderna.

GEOGRAFIA.—Elementi di cosmografia e di geografia antica e moderna.

2. Tali esami saranno condotti dai relativi Precettori del Liceo, a porte aperte, sopra quistioni, problemi e squarci che si estarranno a sorte, e che saranno stati perciò dai suddetti Precettori preparati, ed approvati dal Rettore, d'accordo coi Professori della facoltà di filosofia, i quali vi presederanno, decideranno coi loro voti se debba o no essere ammesso il candidato, e qualora credessero proprio, potranno anche prenderne parte.

3. Gli esami suddetti avranno luogo verso la fine di giugno antecedente all' apertura del corso triennale, e tutti coloro che bramassero seguire il corso degli studj filosofici, abbiano o no studiato nel Liceo, saranno obbligati di subirli.

4. Non saranno soggetti all' esame di lingua inglese quelli che, dietro il corso preparatorio di filosofia, intendessero passare allo studio della teologia; ma ove questi mutassero idea e volessera indi passare a qualcuna delle altre facoltà, saranno in tal caso obbligati di subire gli esami di lingua inglese, che altrimenti avrebbero dovuto subire.

—Non saranno tenuti di subire l' esame di lingua greca coloro che intendessero seguire gli studj del Dritto, e quelli che si proponessero di attendere allo studio di Medicina, benchè a questi ultimi vien caldamente raccomandato lo studio di quella lingua siccome utilissimo pei loro proprj interessi.

—Non saranno tenuti all' esame della lingua greca neanche a quello della latina e della storia e geografia antica coloro che si preponessero seguire il corso filosofico, colla sua prima aggiunta, onde ottenere il certificato di Agrimensori: e saranno esenti da questi esami coloro, che si proponessero seguire gli studj di navigazione, come anche quelli, che intendessero seguire gli studj supplimentarj del 2do triennio per conseguire il grado o il certificato d' Ingegneri.

5. Tutti coloro, che non desiderassero seguire lo studio di alcuna facoltà, nè aspirassero al conseguimento di alcun grado, saranno obbligati soltanto di dare un saggio di essere bastantemente istruiti da poter trarre qualche profitto dalle lezioni che bramassero seguire, e di avere quelle necessarie cognizioni, senza le quali la loro frequenza a siffatte lezioni sarebbe una perdita di tempo.

6. Senza la cautela di un tale esame, che verserà solo sopra le materie contenute sotto i capi matematica e lingua italiana, nessuno sarà ammesso come ascoltatore nella scuola di filosofia ed arti; e quelli, che saranno in questa qualità ammessi, lo saranno colla precisa intelligenza, che in verun caso sarà fatta attenzione a qualunque domanda, reclamo o pretensione che potessero avanzare onde essere inscritti fra gli allievi regolari.

7. Di ciascuna lingua si daranno tre lezioni la settimana, ed altrettante se ne daranno negli altri quattro rami. Quattro essendo le lingue, vi saranno per conseguenza due lezioni di lingue ogni giorno, ed altre due lezioni vi saranno alternativamente dei seguenti rami, cioè storia, logica, storia naturale, e fisica, così che in verun caso potranno avere gli allievi più di quattro lezioni per giorno.

Il modo in che alternano le lezioni e l' orario delle medesime sarà come segue:—

Giorno.	Filologia.	Ora a. m.	Filosofia.	Ora a. m.	Storia Naturale.	Ora a. m.	Fisica.	Ora a. m.	Letteratura.	Ora p. m.
Lun. -	Ing. o Ar.	8	Filos. della Stor.	9 ¼	Botanica	10½			Lett. Ital.	2
Mart. -	Gr. o Fra.	8	Logica - -	9 ¼			Fisica -	10 ½		2
Merc. -	Ing. o Ar.	8	Filos. della Stor.	9 ¼	Botanica	10½			Lett. Ital.	2
Giov. -	Gr. o Fra.	8	Logica - -	9 ¼			Fisica -	10 ½		2
Ven. -	Ing. o Ar.	8	Filos. della Stor.	9 ¼	Botanica	10½			Lett. Ital.	2
Sab. -	Gr. o. Fra.	8	Logica - -	9 ¼			Fisica -	10 ½		2

e così di seguito fino al terminare del corso preparatorio.

8. Gli aspiranti al grado di Maestri in Arti, non che tutti coloro che volessero completare i loro studj nei due triennii, non saranno obbligati allo studio della storia della filosofia ecc. nel primo triennio, nè a quelli della logica e della metafisica nel secondo:—talmente che non percorrendo che per una sola volta gli studj compresi sotto il capo Filosofia, avranno il vantaggio di ripetere gli studj a loro più importanti, siccome più pratici, quelli cioè della Storia Naturale e della Fisica.

9. I giovani delle altre classi potranno seguire quegli studj che credessero più convenienti alle loro rispettive vedute: saranno però obbligati, al principiare d'ogni anno accademico, di dichiarare quali classi intendessero di frequentare ond' essere inscritti fra gli allievi delle stesse; saranno al pari degli altri tenuti all' esatta attendenza delle lezioni, ed all' osservanza dei regolamenti interni delle scuole.

10. Nelle ripetizioni di cui sa farà menzione nell' articolo 5° dei regolamenti comuni, gli studenti prenderanno i loro posti in scuola secondo il merito delle loro risposte.

11. Oltre le dette ripetizioni, vi saranno durante ciascun anno accademico altre due generali e più formali, una cioè verso la metà di gennajo e l' altra verso la fine di aprile. A tali generali ripetizioni assisterà il Rettore, accompagnato dal Segretario, il quale prenderà notamenti del progresso, della diligenza e della condotta degli studenti, dovendo il risultato di questi notamenti essere alla fine dell' anno accademico sottomesso agli Esaminatori per poter questi con più sicurezza decidere del merito dei Candidati.

Corso di MEDICINA e CHIRURGIA diviso in due Triennii.

Triennio.	Anno Accademico.	MATERIE.	MESI.	ORARIO.
Primo -	1°	Anatomia - - - -	9	dalle ore 8 alle 9 a. m.
		Fisiologia - - - -	4	„ 9 ¼ alle 10 ¼ „
		Chimica farmaceutica - -	9	„ 10 ½ alle 11 ½ „
	2°	Anatomia medico-chirurgica, od applicata - - - -	9	dalle ore 8 alle 9 a. m.
		Fisiologia - - - -	2	„ 9 ¼ alle 10 ¼ „
		Patologia generale ed Igiene	7	„ „ „ „
		Materia medica - - -	6	„ 10 ½ alle 11 ½ „
	3°	Istituzioni Chirurgiche - -	9	dalle ore 8 alle 9 a. m.
		Terapeutica generale e Medicina pratica - - - -	9	„ 9 ¼ alle 10 ¼ „
		Medicina legale - - -	5	„ 10 ½ alle 11 ½ „
Secondo -	4	Ostetricia e Malattie delle puerpere e de' bambini - -	9	dalle ore 8 alle 9 a. m
		Ripetizione di Medicina pratica	5	„ 9 ¼ alle 10 ¼ ,
		Clinica— Medica — Chirurgica —Ostetrica - - -	9	
	5°	Clinica — Medica — Chirurgica —Ostetrica - - -	9	
	6°	Clinica — Medica— Chirurgica —Ostetrica - - -	9	

N. B.—1. Nel primo e secondo anno si darà agli allievi l' anatomia pratica dal Dissettore nel Teatro Anatomico.

N. B.—2. Nel secondo e terzo anno il Professore di Ostetricia darà lezione nell' Ospedale alle Levatrici tre volte la settimana.

N. B.—3. Nel quinto e sesto anno gli allievi saranno obbligati di frequentare la clinica delle malattie mentali nell' Ospizio dei pazzi.

REGOLAMENTI PER LA SCUOLA DI MEDICINA E CHIRURGIA.

1. Le lezioni di medicina, di anatomia e di chirurgia si daranno nel teatro anatomico, e le operazioni chirurgiche si eseguiranno sul cadavere.

2. Il Dissettore preparerà i pezzi anatomici che gli verranno richiesti dal Professore di anatomia per le lezioni della stessa: assisterà dopo mezzodì alle dissezioni, e sarà, nell' esercizio de' suoi doveri, sotto gli ordini del Professore di anatomia.

3. Le cliniche, medica, chirurgica, ostetrica e delle malattie mentali, s' insegneranno negli ospedali civili dal 1° ottobre a tutto giugno.

4. I Professori delle cliniche, medica e chirurgica dovranno avere due sale, una pe' maschi e l' altra per le femmine, capaci di contenere 15 letti circa per ciascuna. Il Professore di clinica ostetrica dovrà avere l'intera direzione di quella parte dell' ospedale addetta alle partorienti.

5. Saranno notati su tavole apposite tutt'i sintomi principali della malattia, non che l' andamento e le medicine amministrate.

6. Sarà registrata la storia di ciascuna malattia col riassunto, in caso di morte, delle lesioni rinvenute nelle autopsie cadaveriche. Una copia di tali registri sarà alla fine di ogni anno scolastico presentata dai Professori all' Università; ed un' altra sarà tenuta nell' archivio clinico per maggiore istruzione de' susseguenti allievi di medicina.

7. Il gabinetto di anatomia e quello di materia medica saranno accessibili agli allievi ogni giorno per due ore consecutive.

8. Gli esami di anatomia si faranno in parte sul cadavere;—quelli di chimica verseranno in parte sulle manipulazioni chimiche;—quelli di botanica, per quanto sarà possibile, sulle piante;—quello pel conseguimento della licenza avrà luogo dopo un anno di clinica;—e quello per ottenere la laurea dottorale, e il permesso di esercitare la professione medico-chirurgica, si farà a letto dell' ammalato, dopo due anni di clinica da coloro che vorranno esercitare la professione nell'estero, e dopo tre anni di clinica dagli altri; beninteso che questi ultimi saranno esenti dal pagamento delle mensualità durante il terzo anno di clinica.

9. Gli allievi di farmacia seguiranno il loro corso di studj,—di storia naturale cioè, di chimica generale, di chimica farmaceutica, di botanica e di materia medica,—contemporaneamente nella scuola di filosofia ed in quella di medicina.

10. Nessun allievo di farmacia potrà essere ammesso all' esame prima di presentare un regolare certificato d'aver assistito per anni tre in una farmacia accreditata, onde acquistarne la pratica.

11. Le levatrici dopo di aver atteso allo studio ostetrico nel primo e secondo anno accademico, saranno obbligate di frequentare nel terzo le lezioni di clinica ostetrica. Dopo ciò, saranno esaminate dagli Esaminatori dell' Università, ed approvate, otterranno il permesso di esercitare.—Non saranno ammesse allo studio ostetrico se non quelle donne che sapranno leggere e scrivere competentemente l'italiano.

CORSO DI DRITTO—in un triennio con ammissioni triennali.

Anno Accademico.	MATERIE.					
	Scuola Filosofica Lezioni quotidiane dalle ore 8 alle 9 a. m.	Mesi.	Scuola Politica Lezioni alternate dalle ore 4 alle 5 p. m.	Mesi.	Scuola Giurisprudenziale Lezioni quotidiane dalle ore 9 ¼ alle 10 ¼ a. m.	Mesi.
1°	Dritto Filosofico, ossia Razionale, o Naturale. Dritto Individuale Dritto Sociale Privato	4	Saggio di Filosofia della Statistica	4	Corso elementare di Dritto Civile basato sul testo della Naturale Ragione, della morale Equità, e sulla politica convenienza, indipendentemente da qualunque legge positiva	
			Quadro statistico generale	2		
	Dritto Naturale Sociale Pubblico Interno. Dritto Pubblico Interno Positivo Generale. " " " " Speciale, ossia Compendio della Costituzione Politica della Gran Brettagna	5	Statistica particolare — maltese	3	Confronto d'ogni sua teoria colle più corrispondenti leggi del testo originale delle Istituzioni, delle Pandette, del Codice e delle Novelle Giustinianee, e colle leggi Civili Patrie. Le materie d'indole civile e propriamente giuridica del Dritto Canonico da trattarsi collateralmente ai corrispondenti titoli del Dritto Civile (*a*)	6
2°	Dritto Naturale Sociale Pubblico Esterno. Dritto Pubblico Esterno Positivo Generale	6	Corso di Economia Politica	9	Continuazione delle suddette materie	9
	Dritto Penale (politico-razionale) Annotazioni sulle leggi Penali Patrie	3				
3°	Continuazione del Dritto Penale come sopra	5	Corso di Dritto Commerciale. Annotazioni sulle leggi Commerciali patrie	8	Continuazione e fine delle suddette materie	3
	Compendio della storia universale del Dritto	1			Trattato delle azioni del Dritto in generale ed in particolare	2
	Saggio di Logica giudiziaria	1	Procedura commerciale patria	1	Elementi di Procedura Forense in generale, basata sopra principj politici, canonici e razionali, e seguita da un corso delle procedure delle Corti Civili di queste isole	4
	Saggio di Ermeneutica legale	1				
	Procedura penale patria	1				

N.B. 1.—Gli studenti del Dritto saranno tenuti di attendere alle lezioni di Medicina legale, che si daranno nella Scuola di Medicina.
N.B. 2.—Alle lezioni di Economia Politica e di Statistica avranno libero accesso tutti gli studenti di filosofia.

Rami di studj da seguirsi dagli Aspiranti al Notariato.	Rami di studj da seguirsi dagli Aspiranti alla Professione di Procuratori Legali.
Istituzioni Civili Comuni e Patrie. Dritto Commerciale Terrestre e Marittimo (comune e patrio).	Dritto e Procedura Civile, Comune e Patria. Dritto Commerciale Comune e Patrio, e Procedura Commerciale Patria.

(*a*) Il Professore della scuola giurisprudenziale non incomincierà il corso delle sue lezioni che al quarto mese del primo anno accademico, finchè cioè il Professore della scuola filosofica avrà fornito agli allievi il necessario apparecchio di nozioni filosofiche necessarie allo studio di dritto civile, razionale e positivo. Tale sospensione verrà poi compensata con altrettante doppie letture nel resto del corso accademico da darsi dal Professore giurisprudenziale nei giorni in cui non si daranno lezioni dal Professore della scuola politica.

Regolamenti Pei Notari.

1. Le qualificazioni che si richiederanno per l'ammissione alla facoltà del dritto, onde seguire gli studj notariali, saranno le seguenti:

Calligrafia
Lingua inglese
Lingua latina
Letteratura italiana
Logica—e
Filosofia morale

— Della calligrafia e della lingua inglese si potrà dare un saggio in qualunque tempo dopo l'ammissione fino alla matricola di Stipulante.

2. Fatto il corso di studj prescritto nella tavola della facoltà del dritto, gli aspiranti al notariato dovranno subire innanzi agli Esaminatori speciali un esame verbale sul dritto civile e sul dritto commerciale; e riportatane l'approvazione, conseguiranno il grado della Licenza in dritto.

3. Bramando poi ottenere la matricola notariale, saranno tenuti di subire gli esami della pratica. Questi esami saranno tanto a voce che in iscritto. L'esame a voce s'aggirerà sulle clausole notariali; sui doveri dei Notari, e sui requisiti intorno alle formalità dei contratti. L'esame in iscritto consisterà nella stesa di un contratto di formola ordinaria, e di un altro di formola straordinaria, con patti, cautele e clausole che verranno indicate in un elenco, da essere formato a quest^a oggetto dai Professori del dritto, d'accordo cogli Esaminatori ed approvato dal Rettore. I temi verranno estratti a sorte, e si deciderà del merito dei candidati dagli Esaminatori speciali per maggiorità di voti.

4. Ma

4. Ma siccome la matricola può essere di tre sorta, cioè di Stipulante, di semplice Notaro e di Notaro colla facoltà di rogare atti di ultima volontà, così di tre sorta saranno pure gli esami di pratica, e cioè:—

L' esame pratico di chi domanda la matricola di Stipulante consisterà nella stesa di due contratti di ordinaria formola, escluse le donazioni e i testamenti.

L' esame pratico di semplice Notaro sarà quale è stato già descritto nel N° 3, cioè un contratto di formola ordinaria e un altro di formola straordinaria, compresa qualunque specie di donazione tra vivi.

L' esame pratico finalmente della matricola testamentaria consisterà nella stesa di due atti qualunque di ultima volontà di formola straordinaria.

Regolamenti pei Procuratori Legali.

1. Le qualificazioni che si richiederanno per l'ammissione alla facoltà del dritto onde seguire gli studj che costituiscono la professione di Procuratore legale, saranno le seguenti:

Calligrafia - -
Lingua italiana -
Lingua inglese -
Logica, e - -
Filosofia morale -

} Della calligrafia e della lingua inglese si potrà dare un saggio in qualunque tempo dopo l'ammissione e prima del conseguimento del grado accademico.

2. Fatto il corso di studj prescritto nella tavola della facoltà del dritto, gli aspiranti a questa professione dovranno subire un esame verbale sul dritto civile e commerciale, e sulle corrispondenti procedure: innoltre un esame in iscritto sull' una e l' altra procedura, consistente nella formazione di alcune scritture giudiziali, aventi presso a poco la loro ordinaria formola: ed a coloro che avranno in questi esami ottenuta l'approvazione, sarà conferito il grado del Baccellerato in Dritto.

3. In quanto al metodo ed alla condotta degli esami, veggasi l' articolo 3 dei regolamenti pei Notari.

CORSO DI TEOLOGIA in un Triennio con ammissioni triennali (Lezioni alternate).

ANNO ACCADEMICO.	MATERIE.	MESI.	ORARIO.
1mo - -	Teologia dommatica - } quattro lezioni la	9	dalle ore 8 alle 9 a. m.
	Teologia morale - - } settimana -	9	„ 9¼ alle 10¼ „
	Storia Ecclesiastica - - } due lezioni	9	„ 8 alle 9 „
	Ermeneutica biblica ossia S. Scrittura - - - } la settimana	9	„ 9¼ alle 10¼ „
	Grammatica Ebraica, *N. B.* 1 - - -	9	„ 10½ alle 11½ „
2do - -	Teologia dommatica - - - -	9	„ 8 alle 9 „
	Teologia morale - - - - -	9	„ 9¼ alle 10¼ „
	Storia Ecclesiastica - - - -	9	„ 8 alle 9 „
	Sacra Scrittura - - - - -	9	„ 9¼ alle 10¼ „
	Esercizj grammaticali sul Testo Ebraico -	9	„ 10½ alle 11½ „
	Dritto Canonico, *N. B.* 2.		
3zo - -	Teologia dommatica - - - -	5	„ 8 alle 9 „
	Teologia morale - - - - -	5	„ 9¼ alle 10¼ „
	Teologia apologetica - - - -	4	„ 8 alle 9 „
	Pedagogia sacra, ossia la Pastorale, *N. B.* 3	4	„ 9¼ alle 10¼ „
	Storia Ecclesiastica - - - -	9	„ 8 alle 9 „
	Sacra Scrittura - - - - -	9	„ 9¼ alle 10¼ „
	Letture sul Testo Ebraico - - -	9	„ 10½ alle 11½ „

N. B. 1.—Le lezioni di lingua ebraica potranno essere alternate con quelle di lingua araba per comodo di coloro che bramassero studiare più a fondo questa lingua, colla mira di dedicarsi un giorno alle missioni nelle regioni degli arabi.

N. B. 2.—Le lezioni di dritto canonico si daranno negli ultimi mesi del primo anno, e nei primi mesi del secondo: si daranno nella scuola di dritto dal Professore di giurisprudenza, non consecutivamente ma di tempo in tempo. Questo Professore però darà avviso agli studenti di teologia de' giorni in cui debbono attendere alle sue lezioni, ed in tali giorni, l' ora della lezione di teologia morale o della Sacra Scrittura, secondo che occorrerà, sarà posposta, come pure quella di lingua ebraica.

N. B. 3.—Il Professore di questo ramo dirigerà principalmente la sua attenzione all' arte di predicare, un' arte tanto necessaria per l' esatto disimpegno de' doveri pastorali, ch' egli è assolutamente indispensabile di coltivarla par quanto è possibile. A tale oggetto il Professore darà un' analisi critica di alcuni de' più celebri esemplari di oratoria sacra, che ci può fornire la nostra Biblioteca, e per meglio conseguire un tal fine per mezzo di esercizj pratici, ciascuno studente a giro reciterà un sermone su di un testo da darglisi dal proprio Professore; a tale sermone i Professori di belle lettere saranno invitati ad assistere, come anche quelli tra'l Clero che avranno fatto i loro studj nell' Università. Terminata la predica, e ritiratisi i forestieri, gli altri studenti saranno invitati a darne la loro opinione tanto intorno alla materia che intorno al modo; ed a suggerire quei miglioramenti che credessero proprio sull' uno e l' altro capo.—Allora i Professori faranno lo stesso; quei di teologia—cioè—faranno delle osservazioni sulla materia e sua utilità pratica, sulla solidità e proprietà degli argomenti, e sulla condotta del discorso; e quei di belle lettere sulla forma dell' espressione e sul modo di porgere.

Tale discorso sarà recitato ogni sabato dopo mezzodì durante questo periodo del corso teologico, in uno degli oratorj annessi alla Chiesa dell' Università.

REGOLAMENTI COMUNI A TUTTE LE SCUOLE.

1. Per essere ammesso allo studio di qualcuna delle tre facoltà, il ricorrente dovrà aver percorso gli studj della filosofia ed arti nell' Università. Saranno soltanto esenti da questo regolamento i forestieri che volessero intraprendere il corso di medicina. Questi dovranno o produrre certificati di essere in possesso delle necessarie cognizioni preliminari, oppure dovranno darne saggio a soddisfazione dei Professori di medicina, subendo innanzi a loro un esame. Siccome però sarebbe cosa difficile lo stabilire una regola fissa, che potesse provvedere a tutt' i casi di tal sorta, sarà dovere dei Professori, sotto l' autorità del Rettore, di determinare tanto la materia, che il modo di tale esame e di decidere, per maggiorità di voti, se debba o no essere ammesso il canditato.

—In ogni caso, tutti gli studenti dell' Università pagheranno di trimestre in trimestre anticipatamente le mensualità stabilite. Beninteso che queste non saranno le stesse per quelli che si ammetteranno a seguire studj che per l' addietro si facevano nel Liceo, o fuori dello stabilimento.

2. Ogni Professore sarà tenuto, prima dell' incominciamento dell' anno accademico, di preparare un elenco completo dello lezioni che intendesse dare durante quell' anno :—una copia di tale elenco dovrà inviare nell' ufficio dell' Università, ed un' altra farà affiggere alla porta della propria scuola.

3. Ciascun Professore (eccettuati quelli di lingue) dovrà seco portare in scuola uno scheletro almeno della lezione che sarà per dare; siffatto scheletro si darà agli allievi, i quali, dividendolo tra loro, potranno facilmente copiarlo in pochi minuti, e ciò all' oggetto di facilitare lo studio ed ajutare la memoria. Gli estratti che talvolta si citeranno nelle lezioni, dovranno essere dati per esteso agli studenti.

4. Benchè sia per lo più conveniente ed al Professore ed agli allievi che un autore venga scelto e destinato come libro di testo, pure non si dee supporre che quegli debba di necessità seguire in tutto e per tutto le opinioni di questo autore, ma sarà libero di seguire piuttosto quelle autorità che sembrassero a lui più convincenti. Ma ove questo avvenisse, sarà dovere particolare del Professore di fornire gli allievi degli estratti delle autorità di cui si sarà servito, in modo da poter eglino farne uso. Ciò però in verun modo vuolsi applicare alle quistioni strettamente connesse coi dommi della Religione, essendo sufficientemente definite le migliori autorità in tutte le quistioni di tal natura.

5. Ordinariamente le lezioni non occuperanno più di un' ora di tempo. Ma ogni lunedì (se le lezioni fossero giornali e ogni secondo lunedì, se fossero alternate) la lezione durerà un' ora e mezzo. I primi tre quarti impiegherà il Professore nel proporre quistioni agli allievi intorno alle lezioni precedenti, e negli altri tre quarti continuerà le spiegazioni.

6. Sarà dovere dei Professori di tenere esatti ed uniformi i registri della diligenza, dell' assiduità e della condotta degli allievi, affinchè alla fine dell' anno, gli Esaminatori, guidati da tali registri, possano valutare con più sicurezza i meriti di ciascun candidato, e darne un più retto giudizio, usando maggior rigore con quelli che da detti registri risultassero più negligenti.

7. Al terminare del primo e secondo anno scolastico (come anche del terzo nella scuola di medicina) tutti gli allievi saranno tenuti di subire un esame a voce sulle materie percorse in quell'anno. Tale esame si terrà in pubblico, dai relativi Professori, sopra quistioni o tesi che saranno estratte a sorte: a tale oggetto i Professori prepareranno un elenco di quistioni e tesi, il quale prima del tempo degli esami sottometteranno al Rettore per la dovuta approvazione. Di questi saggi si terranno esatti notamenti nell' ufficio dell' Università, i quali serviranno di guida agli Esaminatori speciali all'occorrenza degli esami pei gradi accademici.

—Coloro che non ottenessero l' approvazione nei suddetti esami annuali, potranno accedere un'altra volta agli stessi prima dell'incominciamento del seguente anno scolastico, ed ove neanche in questi esami riportassero l' approvazione, saranno cancellati dal ruolo degli studenti, e non saranno più per quel corso considerati come tali.

8. Alla terminazione del corso, gli aspiranti al grado accademico, saranno tenuti di subire un esame in parte a voce ed in parte in iscritto, generalmente sopra tutte le materie insegnate nella rispettiva facoltà durante l' intero corso.

—Tale esame si farà a porte aperte, dai relativi Professori, ed in presenza degli Esaminatori speciali della relativa facoltà, i quali, per maggiorità di voti, decideranno intorno all'approvazione o disapprovazione del candidato, e qualora credessero proprio, potranno anche prendere parte nell' esame, limitandosi però ai temi che saranno stati estratti a sorte.

—Questi esami si faranno pure sopra quistioni o tesi estratte a sorte da un elenco che i Professori, d'accordo cogli Esaminatori speciali, prepareranno e sottometteranno al Rettore per l'approvazione.

—In caso di disapprovazione in questi esami, sarà accordato all'esaminato un tempo, a giudizio del consiglio speciale, perchè potesse, volendo, accedere ad un altro esame o su tutt' i rami in generale, o sopra quello o quelli in cui fosse deficiente. Non riportando in questo secondo esame l'approvazione, sarà un'altra volta accordato al candidato un tempo, onde, volendo, potesse presentarsi ad un terzo esperimento. Se poi in questo rimanesse pure disapprovato, non verrà più mai ammesso ad ulteriori esami, se non ripetendo per un altro corso lo studio della relativa facoltà. In ogni caso però, le spese tutte degli esami ripetuti saranno a carico dei disapprovati.

9. I temi da prepararsi per gli esami verseranno soltanto sopra le materie più importanti del ramo di scienza cui si riferissero, ed il loro numero totale dipenderà naturalmente dall'indole del soggetto, non potendosi sottomettere ad una regola fissa. Il numero poi

delle

delle quistioni, da essere estratte a sorte per ciascun candidato, dovrà essere proporzionato alla totalità delle medesime: non sarà mai peraltro maggiore di cinque, ed anderà diminuendo fino a due.

10. I gradi accademici che si conferiranno dall' Università saranno i seguenti:

Nella Facoltà di Filosofia ed Arti pel 1° triennio—Il Baccellerato di Arti.

Nella Facoltà di Filosofia ed Arti colla prima aggiunta—La Licenza di Agrimensore, o di Navigatore di primo grado.

Nella Facoltà di Filosofia ed Arti colla seconda aggiunta—Il Magistero di Arti; o il grado d' Ingegnere-Civile o Nautico.

Nella Facoltà di Medicina—La Licenza e il Dottorato.

Nella Facoltà di Dritto—Il Dottorato; la Licenza; e il Baccellerato.

Nella Facoltà di Teologia—Il Dottorato.

11. Di coloro che negli esami si fossero in particolar modo distinti, e che avessero sostenuto gli stessi con più plauso, si terrà un registro, intitolato "Lista dei preminenti," il quale servirà di guida al Governo nel conferire cariche, o presentare a benefizj, e specialmente nel nominare Professori ed Esaminatori per l' Università.

12. Chiunque avrà subito un esame nell' Università, e riportatane l' approvazione, non sarà soggetto ad altri esami di sorta intorno allo stesso ramo di studio, all' oggetto di acquistare qualunque siasi titolo, o autorizzazione di esercitare una data professione.

13. Oltre le vacanze stabilite nello Statuto Fondamentale, vi saranno le seguenti:

Sabato di Carnevale, Mercoledì delle Ceneri, Lunedì e Martedì di Pentecoste.

— Nei giorni poi di obbligo di assistere alla Messa, vi sarà nella Chiesa dell' Università, in un' ora da essere fissata, una Messa alla quale saranno tenuti di assistere gli studenti dell' Università.

DEI SUPPLENTI.

1. A seconda de' bisogni, saranno destinati ai Professori, Supplenti i quali ne faranno le veci in caso di malattia o di altro impedimento legittimo.

2. Tali Supplenti saranno nominati dal Governo quando credesse opportuno, o direttamente, od ordinando che si procedesse alla scelta per mezzo di un concorso.

3. Il metodo e la condotta degli esami da subire da coloro che aspirassero a divenir Supplenti, saranno fissati dal Rettore d'accordo cogli Esaminatori speciali e coi Professori della facoltà; tutte le quali persone unite ad altre due da essere nominate dal Governo, formeranno il Corpo degli Esaminatori per concorsi.

4. Colui che in questa guisa sarà dal Governo nominato Supplente, verrà, in caso che vacherà la cattedra, di dritto eletto Professore della medesima.

5. I Supplenti non avranno verun emolumento, e saranno tenuti di disimpegnare i doveri del Professore ogni qualvolta questi si trovasse legittimamente impedito.

6. Trattandosi però di mancanze volontarie da parte del Professore, il Supplente quantunque sarà obbligato di farne le veci, sarà in questo caso intitolato a ricevere l'intero onorario del Professore pel tempo che avrà servito.

7. Di quando in quando i Supplenti dovranno assistere alle lezioni del Professore, onde tenersi a giorno del metodo e dell' andamento della scuola, e sarà inoltre dovere del Professore di mettersi in istretto rapporto col Supplente allorquando dovrà questi fare le sue veci.

8. Dovrà pure il Professore, dietro l'approvazione del Rettore, di tempo in tempo cedere il suo posto al Supplente, e permettergli di dare lezione in sua presenza, affinchè meglio potesse questi prepararsi a degnamente adempire a tempo suo i doveri di Professore.

LETTURE PUBBLICHE.

Per rendere, quanto è mai possibile, generalmente utile l' Università, e per ispargere più estesamente i principj delle scienze e del buon gusto, le scuole saranno di quando in quando accessibili a tutti in generale.

E però i Professori di letteratura italiana ed inglese, quei di filosofia, di storia naturale, di chimica e di fisica, daranno, lungo l' anno scolastico, alcune letture pubbliche intorno a materie appartenenti ai loro rami rispettivi.

Si daranno le suddette letture in una forma popolare, evitando cioè ogni possibile tecnologia, e verseranno soltanto sopra soggetti di più generale interesse, e serviranno nel tempo stesso di utili ripetizioni agli allievi.

Di tali letture si darà avviso nei fogli pubblici indicante il soggetto da tratt arsi in ciascheduna.

ACCADEMIA.

1. Sarà istituita nell' Università un' Accademia denominata "Accademia Universitaria."—Il Rettore ne sarà Presidente, i Professori Vice-Presidenti, e il Segretario dell' Università sarà pure Segretario dell'Accademia: i membri ordinarj poi ne saranno tutti gli allievi dell' Università nel terzo anno del corso accademico.

2. La società terrà le sue adunanze nella sala delle Letture pubbliche una volta il mese, essa però non si adunerà che dal mese novembre al mese marzo inclusivamente.

3. In tali adunanze, uno de' membri eletto a sorte nella tornata precedente, leggerà una dissertazione sopra un argomento a sua scelta, tale però che possa essere di un interesse generale.—Dopo la lettura di questo discorso, si passerà ad una discussione a viva voce su di un argomento che sarà stato pure stabilito nella tornata precedente, nel modo che qui appresso si dirà.

4. In ciascuna adunanza sarà estratta una tesi da essere discussa a viva voce nella tornata susseguente: a tale oggetto sarà formato dal Presidente, d'accordo coi Vice-Presidenti, un elenco contenente una serie di tesi, le quali verseranno sopra soggetti che possono essere d' interesse comune. Estratta in questa guisa la tesi, da un' urna contenente i nomi di tutt' i membri, saranno estratti quattro, i quali dovranno sostenere la discussione, due cioè come difendenti e due come arguenti, e quegli il cui nome venisse estratto il primo dovrà aprire la discussione ed avrà il dritto di replicare.

5. Il giorno e l' ora in cui si terranno le adunanze mensuali, saranno stabiliti dal Presidente, e notificati ai Vice-Presidenti, ed ai membri per mezzo di biglietto da spedirsi dal Segretario.

6. I regolamenti interni dell' Accademia saranno stabiliti in un' adunanza preliminare.

LICEO.

Gli studj di questo stabilimento saranno diretti non solo a preparare i giovani alle facoltà, ma anche a fornire di una completa educazione coloro che fossero diretti o al commercio, o alle arti, o alla navagazione. E però le scuole del Liceo, e i rami d'insegnamento da essere dati nelle medesime, saranno come segue :

1. *Scuola di Arti e Mestieri.*

Aritmetica pratica, calligrafia, disegno, lingua italiana ed inglese.

2. *Scuola di Commercio.*

Aritmetica teorica e pratica, scrittura doppia, calligrafia, storia e geografia moderna, disegno, lingue italiana, inglese, francese, greca moderna ed araba.

3. *Scuola di Navigazione.* (pel pilotag. di 2° grado.)

Aritmetica teorica, calligrafia, storia e geografia moderna, algebra, geometria, disegno, corso di navigazione, lingue italiana, inglese ed araba.

4. *Scuola Preparatoria all' Università.*

Aritmetica teorica, calligrafia, storia e geografia—moderna per gli agrimensori, i nautici e gl'ingegneri, ed antica in un colla mitologia, e colle antichità romane e greche, per quei che tendono alle professioni scientifiche—algebra, geometria, disegno, lingue italiana, inglese, greca e latina.

Benchè lo studio del disegno vedasi prescritto in ciascuna delle quattro scuole suddette, pure non tutti gli allievi saranno obbligati di seguirne tutt' i rami, ma soltanto quelli che fossero più utili a ciascuno, avuto riguardo alla classe cui appartenesse. Quindi lo studio del disegno, come anche quello di tutti gli altri rami d' insegnamento, saranno regolati nel modo indicato nella seguente tavola.

ORDINE, ANDAMENTO ED ORARIO DELLE SCUOLE DEL LICEO.

SCUOLE.	CLASSI.	MATERIE.	ORARIO.
Italiano	Infima	Ortografia; Etimologia; Traduzione in maltese; Analisi; Dialoghi	dalle 8 alle 9 a.m.
	Media	Sintassi; Traduzione in maltese; Analisi; Dialoghi	— 11 — 12 —
	Suprema	-- Eleganze; Analisi e declamazione di classici; Composizione corretta; Metrologia.	— 9 — 10 —
Inglese	Infima	Pronunzia; Ortografia; Dialoghi	— 10 — 11 —
	Media	Etimologia comparata; Traduzione dall' inglese ed analisi; Dialoghi	— 8 — 9 —
	Suprema	-- Riassunto della grammatica; Traduzione dall' italiano; Analisi; Composizione corretta.	— 2 — 4 p.m.
			1° anno 2° anno.
Latino	Infima	-- Pronunzia; Etimologia teorica e pratica a voce e in iscritto; Concordanze; Traduzione facile.	dalle 9 alle 10, dalle 10 alle 11
	Media	-- Sintassi elementare; Traduzione con analisi di classici latini, e di temi italiani alternativamente; Prosodia.	dalle 8 alle 9 a.m.
	Suprema	-- Alta Sintassi; Traduzione di classici latini, e di temi italiani; Analisi; Composizione corretta in prosa; Traduzione in vario metro latino di squarci poetici italiani.	— 8 — 9 —
Storia e Geografia	moderna } alternate	-- Elementi di Cosmografia; di Geografia fisica, e politico-statistica moderna; Cronologia Storica moderna.	— 11 — 12 —
	antica } alternate	-- Elementi di Geografia antica comparata per mezzo di mappe comparative; Cronologia Storica antica; Mitologia; Antichità romane e greche.	— 10 — 11 —
Aritmetica	teorica	-- Definizioni preliminari; Nomenclatura numerica; Numerazione scritta; Le quattro operazioni applicate ai numeri interi, frazionarj e misti; Teoria e calcolo delle frazioni decimali; Teoria delle proporzioni dirette ed inverse.	— 2 — 3 p.m.
	commerciale	-- Applicazione delle suddette teorie alle regole usate in commercio; Scrittura doppia.	— 3 — 4 —
Matematiche elementari	algebra	Fino all' equazione di secondo grado	— 10 — 11 a.m.
	geometria	-- Teorica piana e solida; Pratica; Principj di Algebra applicata alla Geometria.	— 10 — 11 —
Rettorica	-- alternata colla suprema inglese.	-- Elocuzione elementare; Condotta dell' Orazione artificiale; Composizione in prosa italiana, Analisi e replica a memoria di squarci classici italiani.	— 9 — 10 —
Calligrafia		Caratteri latini, greci, ed arabi	— 1 — 2 p.m.
Greco	antico	-- Pronunzia; Ortografia; Etimologia; Sintassi elementare; Traduzione; Metrologia.	— 3 — 4 —
	moderno	-- Pronunzia; Ortografia; Etimologia e Sintassi comparata; Dialoghi; Composizione di lettere.	— 9 — 11 a.m.
Francese	inferiore	Pronunzia; Ortografia; Etimologia; Traduzione dal francese	— 9 — 10 —
	superiore	-- Sintassi; Traduzione al francese; Corrispondenza commerciale in italiano e francese.	— 2 — 4 p.m.
Arabo	inferiore	-- Pronunzia; Ortografia; Etimologia; Traduzione dall' arabo in maltese o in italiano.	— 2 — 3 —
	superiore	Sintassi elementare; Traduzione; Composizione di lettere ecc	— 3 — 4 —
Disegno, N.B. 1	pei mestieri	-- Ornato, Disegno Geometrico (compreso il disegno di mobili, di macchine e di architettura) Projezioni grafiche.	— 9 — 10 a.m.
	per le arti	Disegno di Architettura, di paesaggi, e di figura; Prospettiva	— 10 — 11 —
	pel commercio	Disegno geometrico	— 11 — 12 — o
	per la navigazione	Disegno di carte geografiche ed idrografiche, di macchine e di navi	— 1 — 2 p.m.
	-- per preparazione all' Università.	Disegno geometrico e di figura	
Nautica, N.B. 2	-- Pilotaggio di 2do grado.	-- Corso di navigazione con dimostrazioni sul modello, Manovra; il tutto da percorrersi in un anno e mezzo.	— 8 — 10 a.m.

N. B. 1.—Questa Scuola si terrà aperta dalle ore 9 a.m. a mezzodì, e dall' 1 alle 4 p.m.

N. B. 2.—L'esame pel conseguimento di questo grado si farà innanzi agli Esaminatori speciali dell' Università per la Scuola Nautica; a questi esami, di coloro cioè che avranno atteso agli studj nautici nel Liceo senza far passaggio all' Università, presederà, invece del Rettore, il Professore di matematica, col dritto di votare, e la presenza di due dei suddetti Esaminatori speciali sarà sufficiente. Del resto il metodo di tali esami sarà eguale a quello degli altri esami universitarj, ed il candidato, una volta approvato, non sarà soggetto ad ulteriori esami, onde conseguire il grado e la facoltà di esercitare la professione.

REGOLAMENTI DEL LICEO.

1. Le ammissioni al Liceo avranno luogo tre volte soltanto lungo l'anno scolastico, cioè nella prima settimana di ottobre, nella prima settimana di gennajo e nella prima settimana di aprile. I dritti delle mensualità si pagheranno dagli allievi di trimestre in trimestre anticipatamente.

2. Per essere ammesso al Liceo si richiederà che il ricorrente conosca le prime quattro regole di aritmetica, che sappia leggere l' italiano e possa tradurre all' impronto uno squarcio, che si estrarrà a sorte da uno de' seguenti libri:—Racconti facili e morali, e Letture popolari—e che infine possa scrivere sotto dettatura in caratteri intelligibili.

—Pel passaggio poi da una scuola ad un' altra, l' allievo dovrà avere le cognizioni necessarie onde poter mettersi a livello cogli altri studenti della scuola nella quale volesse essere ammesso. Intorno a ciò i precettori dovranno intendersela col Rettore. Non si ammetterà più in questo Liceo la distinzione di scuole obbligatorie e scuole libere, ossia non obbligatorie: ma ciascuno sarà tenuto di frequentare quelle classi che fossero assegnate alla scuola cui appartenesse.

3. Prima di essere ammesso a qualunque scuola del Liceo, il ricorrente dovrà essere presentato nell' ufficio dell' Università da un suo parente o tutore, il quale manifesterà al Rettore quale specie di educazione intendesse far seguire al figlio o pupillo. In questa occasione il parente o tutore che sia, verrà informato dei regolamenti interni del Liceo e delle leggi a cui vanno soggetti gli allievi.

4. Il Prefetto sarà nell' obbligo di tenere un libro in cui noterà i giovani negligenti ed insubordinati, all' oggetto d'informarne di tempo in tempo i parenti o tutori onde provvedervi.

5. Per meglio assicurare il buon ordine e la disciplina nelle scuole si porranno in un luogo conspicuo, e sotto la sorveglianza del Prefetto, due panche penitenziali intitolate dei negligenti l'una, e degl' insubordinati l'altra. Sulla prima saranno messi quegli allievi che fossero stati negligenti e sull' altra quei che fossero stati insubordinati a segno da meritare, a giudizio del Rettore, tale pena. E coloro che per tre volte, durante l'anno scolastico, avranno subita siffatta pena, perderanno ogni dritto ai premj che per altri titoli potrebbero aver meritato. Quelli poi che non volessero sottomettersi alla pena suddetta, saranno inibiti di frequentare il Liceo, finchè si chiamassero i loro parenti o tutori nell' ufficio, i quali informati della specie di mancanza commessa e della renitenza a subirne la pena, verranno pregati o a costringere i figli o i pupilli a subire la pena loro inflitta, o altrimenti a ritirarli dallo stabilimento. Si faranno pure ritirare dal Liceo coloro che avranno subito tale pena cinque volte lungo l'anno scolastico.

6. Vi sarà un' altra specie di pena più mite per le trasgressioni che non fossero sì gravi da meritare la pena dianzi stabilita. Questa consisterà nell' obbligare il colpevole a mettersi sur uno sgabello in un angolo della scuola e in disparte dagli altri allievi.—I Precettori saranno competenti ad infliggere questa punizione.

7. In ciascuna scuola avrà luogo in ogni settimana una ripetizione, e indi una classazione degli allievi, i quali tutti prenderanno i loro posti in scuola, secondo che avranno con più prontezza e soddisfazione del Precettore risposto alle domande: e quegli la cui condotta sarà stata più lodevole, avrà uno speciale posto d'onore;—dovendo intanto ciascuno ritenere per tutta la settimana il luogo assegnatogli.

8. Ogni sabato alle ore 3 p. m. avrà luogo l'istruzione religiosa, che darà il Cappellano del Liceo nella Chiesa di San Giacomo, la quale sarà per l'avvenire destinata agli esercizj spirituali degli allievi del Liceo, ed affidata perciò alla direzione del suddetto Cappellano, senza pregiudizio dell' Istituto di educazione cattolica, e delle altre congregazioni ivi esistenti.

9. Gli allievi di tutte le scuole dovranno riunirsi nel Liceo all'ora succennata per essere quindi dal Prefetto condotti alla Chiesa. Saranno divisi per scuole, e ciascuna scuola avrà per conduttore quello che allora sarà in possesso del primo posto d'onore menzionato nell' Art. 7.

10. Nelle stagioni favorevoli gli allievi saranno di quando in quando condotti in un luogo da essere destinato per gli esercizj ginnastici. Saranno condotti dal Prefetto, e divisi per scuola, come si è detto nell'articolo precedente.

11. Ogni anno verso Pasqua si darà un saggio al Pubblico degli studj fatti nel Liceo; a tale oggetto saranno scelti fra gli allievi coloro che nel corso delle lezioni si saranno più distinti; ed alla fine dell' anno scolastico poi tutti gli allievi saranno tenuti di subire un esame in pubblico, dietro al quale sarà pubblicato un elenco dei nomi degli esaminati, e dei loro gradi di merito con un cenno intorno alla diligenza e condotta di ciascun allievo lungo l'anno scolastico.

12. Saranno destinati dei premj a coloro che per ragion di studio, diligenza e buona condotta si giudicassero più meritevoli. All' occorrenza della distribuzione di tali premj, sarà in arbitrio del Rettore, col consenso del parente o tutore del premiato, di convertire il destinato premio in una esenzione dal pagamento delle mensualità per tre mesi, o per sei, o per un intero anno scolastico, secondo il merito del premiato.

13. Oltre le vacanze stabilite nello Statuto fondamentale, vi saranno pure le seguenti:

Sabato di Carnevale, Mercoledì delle Ceneri, e Lunedì e Martedì di Pentecoste: e nei giorni di obbligo di ascoltar Messa, gli allievi saranno a ciò condotti dal Prefetto nella Chiesa dell'Università in un'ora da essere fissata.

DI UN CONVITTO.

Sara stabilito un Convitto annesso all'Università ed al Liceo per comodo specialmente degli abitanti del Gozo e della campagna di quest'isola.

Del vantaggio di questo Convitto potranno anche prevalersi gli esteri residenti nelle coste di Barbaria, in Levante, in Siria ed in Egitto, mandando qui i loro figli per avere una educazione migliore di quella che potrebbero ricevere in quelle contrade.—In questo caso si darà a ciascuno quella, tra le varie educazioni indicate nel presente Progetto, che verrà richiesta dal genitore o tutore, dovendo il prezzo, che sarà in tutt'i casi discreto, essere graduato conformemente.

AVVERTENZA.

Questo Progetto sarà messo in esecuzione in Ottobre 1843.

SPECIMEN of the PLAN for improving the MALTESE DIALECT, proposed by the Rev. Mr. *O'Malley.*

ALFABETO MALTESE.

VENTI cinque sono i suoni semplici della Lingua Maltese, i quali si rappresentano dalle seguenti Lettere, modificazioni e combinazioni di Lettere; cioè A, B, C, D, F. G, Ġ. H, Ħ, Ḣ, I, J, K, L, M, N, O, R, S, T, U, X, Z, GĦ, GḢ. Ciascheduna di queste conserva costantemente il suo suono proprio ed unico, in ogni posto che potrà occupare nella formazione delle parole.

Suono delle Lettere.

A e *B*, hanno lo stesso suono che nell' Italiano, come in ard, artab, bait.

C, ha un suono aspro soltanto (cioè quello che le si da nell' Italiano quando si trova innanzi alle vocali *a*, *o*, *u*), come in carba, cubba, citàb.

D e *F*, lo stesso che nell' Italiano, come in dàr, duda, fàr, fanak.

G, ha un suono dolce, come quello che ha nell' Italiano quando è innanzi alle vocali *e* ed *i*, come in gobon, gàr, magbùr, tarag, borg.

Ġ, ha un suono aspro, come quello che ha nell' Italiano quando è innanzi alle vocali *a*, *o*, *u*, come in ġundalla, ġendùs.

H, ha un suono dolcemente aspirato come in hana, mahmùs.

Ħ, ha un suono maggiormente aspirato dell' *H* senza verun segno, come in ħait, ħuta, ħodba.

Ḣ, ha un suono poco piu aspirato di quello dell' *Ħ* come in ḣait, ḣotba.

I ed *J*, come nell' Italiano, come in ism, ìd, jaum, jagbit.

K, ha il suono del *C*, ma pronunziato piu verso le fauci, come in kalb, uarak, koton.

L, *M*, *N*, *O*, *R*, *S*, *T*, *U*, lo stesso che nell' Italiano, come in laurna, lauza, maccùc, mirzabba, nàxfa, naħla, onun, ramla, ragil, sana, sama, tauma, taka, uarka, uarda.

X, ha un suono eguale a quello del *sci* degli Italiani, come in xams, xuxa, naxra.

Z, ha il suono dell' *S* aspra come in zàmel, zunzàn, zait.

GĦ, Questa combinazione ha un suono gutturale aperto come in għali (alto) għar (vergogna).

GḢ, Questa combinazione ha un suono gutturale compresso, come in għali (caro di prezzo) għar (caverna).

La vera pronunzia delle Lettere *H*, *Ħ*, *Ḣ*, e delle combinazione *GĦ*, *GḢ*, si apprende meglio dalla viva voce del Maestro, poiché rappresentano alcuni suoni affatto particolari alla nostra lingua.

N. Bene. Volendo scrivere con questo Alfabeto il Maltese, come generalmente si parla, è necessario aggiungervi il suono delle seguenti lettere: Del *C*, cioè quel suono che ha in Italiano quando si trova innanzi alle vocali e ed *i*. Volendo poi preservarle questo suono innanzi a consonanti le si pone un punto sopra, così, *Ċ*. Del *E*, *P*, *Q*, e del *V*.

LETTURA.

Primo Esercizio.

IL primo esercizio contiene una quantità di parole monosillabe, le quali, quando fortemente pronunziate fanno sentire distintamente il suono di qualche lettera dell' alfabeto.

Onde maggiormente assicurare questo suono alfabetico ho suddiviso questo esercizio in tanti altri, formando uno per ciascheduna lettera.

Esempj.

A.

Puro Maltese.	Maltese Corrotto.	Italiano.
ard	art	terra
aħ	ħei	fratello
alf, ecc.	elf, ecc.	Mille, ecc.

B.

bàb	bieb	porta
bait	beit	terrazzo
bìr	bìr	pozzo
bint	bint	figlia
blàt	blàt	rocca
baid, ecc	bait, ecc.	ova, ecc.

C.

calb	chelb	cane
crìb	crìp	muggita
cùz, ecc.	cùs, ecc.	amfora, ecc.

D.

dàr	dàr	casa
dau	daul	luce
dam	dem	sangue
dùd	dùt	vermi
dirs	dars	dente molare
dlàm	dlàm	oscurità
dak, ecc.	dak, ecc.	suono, ecc.

F.

fàr	fàr	sorcio
fomm	fomm	bocca
forn	forn	forno
fùl	fùl	fave
flùs, ecc.	flùs, ecc.	danaro, ecc.

e così per le altre lettere.

Secondo Esercizio.

Il secondo esercizio contiene parole di due sillabe ed è suddiviso in altri cinque formando uno per ciascheduna lettera gutturale.

Esempj.

Maltese Puro.	Maltese Corrotto.	Italiano.
tuba	tuba	zolla
kasba	kasba	canna
kalba	kalba	l'interno d'ogni cosa.
dabba	debba	giumenta
xabba	xebba	donzella
cubba, ecc.	cobba, ecc.	gomitolo, ecc.

Esercizio sulla Lettera.

H.

zahra	zahra	fior d'arangio
dahr	dahar	dorso
xahr	xahar	mese
hana	hena	felicità
dahb	deheb	aro
dihn	dehen	giudizio
dahxa	dehxa	paura
xohra, ecc.	xehra, ecc.	grido, ecc.

Esercizio sulla Lettera.

Ḥ.

Maltese Puro.	Maltese Corrotto.	Italiano.
ḥabl	ḥabel	corda
naḥla	naḥla	ape
baḥr	baḥar	mare
ḥimàr	ḥmàr	asino
ḥalìb	ḥalìb	latte
ḥanùt	ḥanùt	bottega
ḥolma, ecc.	ḥolma, ecc.	sogno, ecc.

Esercizio sulla Lettera.

ḣ.

ḣaita	ḥaita	filo
ḣab a	ḥabta	scossa
ḣobza	ḥobza	pane
ḣarka	ḥarka	panno
ḣatar	ḥatar	bastone
duḣḣàn	duḥḥan	fumo
ḣarùf	ḥarùf	agnello
ḣrafa, ecc.	ḥrafa, ecc.	favola, ecc.

Esercizio sul suono Gutturale.

GḢ.

talgḥa	telgḥa	salita
sangḥa	sengḥa	mestiere
xamgḥa	xemgḥa	candela
gumgḥa	gimgḥa	settimana
sagḥa	sigḥa	ora
sabgḥa	sebgḥa	sette
tisgḥa, ecc.	disgḥa, ecc.	nove, ecc.

Esercizio sul suono Gutturale.

GḢ.

gḣadba	gḥadba	soglia
gḣabra	gḥabra	polvere
gḣaxua	gḥaxua	svenimento
gḣarnùk	gḥarnùk	grue
gḣani	gḥani	ricco
gḣamza, ecc.	gḥamza, ecc.	cenno, ecc.

Terzo Esercizio.

Il terzo Esercizio contiene parole di tresillabe.

Esempj.

Maltese Puro.	Maltese Corrotto.	Italiano.
tarriḥa	terriḥa	rete
ḥamama	ḥamiema	colomba
ḥorraka	ḥorrieka	ortica
saḥḥara	saḥḥara	strega
bisbasa	busbieso	finocchio
karnita	karnita	polpo
zunzana	zunzana	vespe
màḥnaka	ḥannieka	cintura
xaḥxaḥa, ecc.	xaḥxiḥa, ecc.	papavero, ecc.

LETTURA.

Quarto Esercizio.

Il quarto esercizio contiene una quantità di sentenze brevi ed esprimenti qualche buona massima.

Esempj.

1. Int ma turìdx taxtagħil.
2. Cull uaħid juħib il ħakk.
3. La tatmagħ fi cull ma tasmagħ.
4. Ismagħ catir, ua tacallam kalil.
5. Ħalli sirrac fi sadrac.
6. La taħsib nafsacagħkal min għairac.
7. Il fulùs baraca għala il mubarac.
8. It tagħlùn murr fi il aual, ħulu fi il àħir.
9. Il ism it tajib aħjar min il għina.
10. Il bàzil hu matlùb.
11. Is suciet nisf il gaùal.
12. Taħannan għala il għomi, ua għala il għurg.
13. La tatamin il sarràk li ann hu la budd jasrak.
14. La tatlif iz zamàn bi il lagħib ua bi il batala.
15. Il caddàb ma jacun lahu ħabib.
16. Il ħabib jangħarif uakt il ihtiàg.
17. Xahàdat ilagħmàl aħiar min xaħàdat ir rigàl.
18. Cull aħad jaħsib fi nafsu annuh għarif.
19. Il fakìr irràdi aħjar min il għani ir ragħib.
20. Nudur fi għaib nafsac, kabl matandur fi għaib għairac.

Le medesime in Maltese corrotto e come si parla generalmente.

1. Int ma trulx taħdem.
2. Cull uiħed juħob il ħakk.
3. La tilmax fi cull ma tisma.
4. Isma uisk, u tichellem fitit.
5. Ħalli is segreti tiegħu fi sidrec.
6. La taħsib nifsec agħkal min għairec.
7. Il fiùs huma barca għala il imberchìn.
8. It tagħlim morr fi il euel ħelu fi il aħħar.
9. Il ism it tajjeb aħjar min il għana.
10. Il biezel hu mitlùb.
11. Is sichiet nofs il geulib.
12. Tiħannen għala il għomi, u għala il immancati.
13. La titmax il sarràk, għalùx hu cert li jisrak.
14. La titlif iz zimien bi il logħob u bi il għ azz.
15. Il ghiddiel ma jicollùx ħabib.
16. Il ħabib jingħaraf uakt il bisen.
17. Xihdet il agħmìl aħjar min xihdit ir rigiel.
18. Cull ħad jaħsib fi nifsu li huua għaref.
19. Il fikir cuntent aħjar min il għani ir righib.
20. Ħares fi għaib nifsec kabl ma tiħares fi għaib għairec.

Le medesime tradotte in Italiano.

1. Voi non volete lavorare.
2. Ognuno ama la verità.
3. Non vi fidate di tutto quello che sentite.
4. Sentite molto e parlate poco.
5. Tenete i vostri segreti nel petto.
6. Non credetevi più savio degli altri.
7. Il danaro è una benedizione ai benedetti.
8. Lo studio è amaro nel principio ma dolce nella fine.
2. La buona riputazione è migliore d'ogni ricchezza.
10. Il diligente è sempre ricercato.
11. Abbiate misericordia dei ciechi, e di chi è deforme.
12. Il silenzio è mezza risposta.
13. Non vi fidate del ladro, perchè egli certamente vi rubberà.
14. Non perdete il vostro tempo nel guioco, e nella pigrizia.
15. Il bugiardo non acquisterà mai un buon amico.
16. L'amico si conosce nel tempo del bisogno.
17. La testimonianza dei fatti e migliore della testimonianza degli uomini.
18. Ognuno si crede dotto.
19. Il povero contento e migliore del ricco avaro.
20. Osservate il proprio difetto prima di osservare quello degli altri.

LETTURA.

Quinto Esercizio.

IL quinto esercizio contiene una quantità di lezioni miscellanei, facili ed adattati alla capacità dei ragazzi.

1ª. Lezione.

Ix Xams.

Ix Xams tagħti na is sħana ua id dau. Is sħana taggħal in nibàt jacbar, ua id dau jurina cif nixtagħla. Hia taddi min actar bogħod fi is sama. In cunna nunduru ila ix xams taggħal na inxabxibu għujùn na, ua in cunna nudumu tudurr nadar na. Ix xams tatlagħ min ix xark, ua tagħìs fi il għarb. Hia ħaga sabiħa an tara ix xams tàligħa. Il actar min il atfàl ma jaraux dà il mandar is sabiħ, li ann hom jasħaru bi il lail, ua jagħazgizu fi il fràx, ħalta tacùn ix xams maxait kitgħa fi is sama. In cunna nukumu hin jasbaħ, ua namorru fauk għalliia nunduru ix xams taligħa ca inna ha min ganna il baħr. Mata is sħaab jugħalti uix ix xams aħna nakulu il jaum mugħajam. Ix xams tatlagħ ua tagħìb fi is sitta marratain fi is sana. Fi kismain min id dunia ma hamx għair lail ua nħar uaħid fi tùl is sana cullha ua huma tuàl sit xuħur.

La Medesima in Maltese come si parla generalmente.

Ix Xemx.

Ix Xemx tutina is sħana u id daul. Is sħana iggagħal ix xitel jicber, u id daul jurìna cìf naħdmu. Hia tiddi min actar boghòd fi is sema. Jec conna inħàrsu lein ix xemx iggagħalna inciapcibu għajneina, u jec conna indumu tiħasrinna il vista tagħna. Ix xemx titla min il vant, u tigħib fi il punent. Hia ħaga sabiħa li tara ix xemx tielgħa. Bosta min it tfàl ma jaraux din il vista jec sabiħa għaliex jisħuru bi il leil, u jigħazzu fi il friex, sa cem ticùn ix xemx imxiet katgħa fi is sema. Jec conna nkumu hin jisbaħ, u nmorru fùk għollia narau ix xemx tielgħa bi ħal kieku min geua il baħar. Meta is sħaab jigħatti uic ix xemx aħna ingħeidu il jùm hu mgħajjem. Ix xemx titla u tigħib fi sitta darbtein fi is sena. Fi kismèin min id dinia, ma hemx għair leil u nħar uiħed fi tùl is sena collha u huma tual sit xuħùr.

La Medesima tradotta in Inglese.

The Sun.

The sun gives us heat and light. The heat of the sun makes plants grow, and by its light we see to work. It shines far up in the sky. If we look at the sun, it makes us wink, and if we look long at it, it will hurt our sight. The sun rises in the east and sets in the west. It is a fine sight to see the sun rise. Few boys see this fine sight, for they sit up late at night and lie in bed, till the sun is a good way up in the sky. If we were to get up at dawn, and go to a hill, we would see the sun rise, as if out of the sea. When the clouds hide the face of the sun, we say it is a dull day. Twice in the year, the sun rises at six, and sets at six. At two parts of the world, there is but one day and one night in the whole year. The day and the night are both six months long in those parts.

ELEMENTI.—DELLA GRAMMATICA MALTESE.

Del Nome e dell' Aggettivo.

Del Nome.

NOME dicesi ogni voce, sia semplice sia composta, la quale denomina o qualifica un oggetto. Quindi il nome in primo luogo o è sostantivo, o è aggettivo. Il sostantivo poi o indica una cosa particolare, o una cosa comune; nel primo caso dicesi proprio, come Malta, nel secondo dicesi appellattivo, come grano. L'appellattivo finalmente può indicare o una sola cosa di una data specie, o una quantità; nel primo caso dicesi nome singolo, come kamħa; nel secondo nome collettivo come kamħ.

Del Nome Collettivo.

IL nome collettivo è quello che esprime una quantità di oggetti della medesima specie, come kamħ, ħobz, uard, nuar.

Del Nome Singolo.

IL nome singolo indica come abbiamo detto una sola cosa di una data specie e con ciò nella Lingua Maltese si supplisce alla deficienza dell' articolo definito. Si forma generalmente con aggiungere *a* alla fine del nome collettivo, come da kamħ, kamħa, ħobz, ħobza, gobu, gobua, uard, uarda, nuar, nuara, ecc.

Dei Generi.

Due sono i generi, mascolino e femmenino. Tutti i nomi che non terminano in *a* sono di genere mascolino, come ħobz, citàb, ragil tifl, ecc: eccettuati i seguenti, dàr, omm, għain, xams, bint, ard, oħt, nàr.

Tutti i nomi poi che terminano in *a* sono di genere femmenino, come sama, ukea, sana, sigħa, mara, ecc.

Del Numero.

Tre sono i numeri nella nostra Lingua, Singolare, Duale, e Plurale, detti in Maltese Mufràd, Mutanna, e Gammagħ.

Del Duale, Mutanna.

Questa proprietà è tutta particolare alla Lingua Maltese, e comprende tutti i nomi di qualsisia specie. Ogni nome Singolare può diventare di numero duale, se essendo mascolino gli si aggiunge *ain*, e se femmenino *tain*.

Esempj.

Mascolini.		Femmenini.	
Sing.	*Duale.*	*Sing.*	*Duale.*
ratl	ratlain	ħobza	ħobzatain
ħabib	ħabibain	baida	baidatain
ragil	ragilain	ukia	ukiatain
tifl	tiflain	mara	maratain
citàb	citàbain	siccina	siccinatain
difr	difrain	bazzula	bazzulatain
ħagib	ħagibain	ħabiba	ħabibatain

Dell' Aggettivo.

L'aggettivo è una specie del nome la quale qualifica una persona od una cosa.

Vi sono cinque specie di aggettivi nella lingua Maltese.

La prima è di quelli i quali derivano dai verbi radicali, come da għas, għasès, ragħad, ràgħid, madd, màdid, amar, àmir, uagħad, uàgħid, ecc.

La seconda specie di aggettivi è di quelli che noi chiamiamo esagerati, cioè che esagerano una qualità in un oggetto, e questi parimente derivano dai verbi radicali come da catab, catiàb, kagħad, kagħgħàd, madd, maddàd, amar, ammàr, uagħad, uagħgħàd, ecc.

La terza è di quelli i quali derivano dalle cose che si fa e indicano l'arte o il mestiere di una persona, come da ħagiar, ħaggar, faħm, faħħàm ħadid, ħaddàd, xamgħ, xammagħ, laħm, laħħàm, ecc.

La quarta specie è di quelli i quali derivano dai nomi dei paesi, come da Malta, Malti, Għaudix, Għaudixi, Skallia, Skalli, ecc.

La quinta finalmente è di quelli i quali indicano che il nome che qualificano appartiene ad una casa come, dunia, duniaui, sama, samaui, xams, xamsi, kamar, kamri, baħr, baħri, dàr, dàri. E questi, come si vede chiaro, derivano dai nomi ai quali indicano appartenere una cosa o persona.

Dei Gradi dell' Aggettivo.

La qualità di una persona o di una cosa può esprimersi in diverse maniere, cioè, o semplicemente o avuto riguardo alla qualità di un' altra persona o cosa. Perciò si danno tre gradi dell' aggettivo, semplice o positivo, come sabiħ, comparativo asbaħ, superlativo il asbaħ.

I nomi di colori e i nomi esprimenti difetto non hanno gradi come asuad, agħuar, ablaħ agħma, aħmar, ecc.

Del Comparativo.

I comparativi nella lingua Maltese o sono proprii o improprii. Il proprio si forma con una modificazione nella parola, come kasir, aksar, ecc.

L'improprio con aggiungere la particella *actar, o aziad,* come muħassar, actar o aziad muħassar ecc.

Si deve osservare che i comparativi proprii si danno unicamente a quei nomi i quali derivano dai verbi radicali, e al contrario, i comparativi improprii a quei nomi che derivano dai verbi aumentati.

Esempj.

Dei Comparativi Proprii.

Verbo.	Signito	Aggettivo.	Comparavo
kasur	sàr kasìr	kasìr	aksar
sabuĥ	sàr sabiĥ	sabiĥ	asbaĥ
tàb	sàr tajáb	tajab	atjab
ĥazan	sàr ĥazin	ĥasìn	aĥsan
ĥaff	sàr ĥafiff	ĥafiff	aĥfaff
takul	sàr takil	takil	atkal
raĥis	sàr raĥiis	raĥiis	arĥas
bazal	sàr bazil	bazil	abzal
fatir	sàr fatir	fàtir	aftar
ĥamid	sàr ĥamid	hàmid	aĥmad
sacat	sar sacit	sàcit	ascat
cabir	sàr cabir	cabir	acbar
fakur	sàr fakir	fakìr	afkar
saĥĥ	sar saĥiĥ	saĥiĥ	asĥaĥ
tàl	sàr tauil	tauil	atual

Esempj dei Comparativi Improprii.

Verbo.	Aggettivo.		Comparativo.
ĥassar	muĥassar	actar	muĥassar
kattagĥ	mukattagh	„	mucattagĥ
cassar	mucassar	„	mucassar
tallaf	mutallaf	„	mutallaf
rabbaĥ	murrabbaĥ	„	murabbaĥ
tallagĥ	mutallagĥ	„	mutallagĥ
nassal	munassall	„	munassall

Del Superlativo.

Il superlativo si forma generalmente con aggiungere al comparativo sia proprio, o improprio l'articolo *il*.

Esempj.

Comparativo.	Superlativo.
asbaĥ	il asbaĥ
actar muĥassar	il actar muhassar

I comparativi proprii servono tanto pel genere mascolino quanto pel genere femmenino, tanto pel numero plurale quanto pel numero singolare.

MALTA.

COPIES or EXTRACTS of PAPERS relating to the REMOVAL of the Rev. Mr. *O'Malley* from the Office of Rector of the University of *Malta*.

(*Mr. Wyse.*)

Ordered, by The House of Commons, *to be Printed,*
14 *August* 1843.

567.

Under 8 *oz.*

MALTA CURRENCY.

RETURN to an ADDRESS of the Honourable The House of Commons, dated 18 March 1845;—*for*,

"COPIES of the PROCLAMATION and CORRESPONDENCE, or EXTRACTS of CORRESPONDENCE on the subject of the MALTA CURRENCY."

Downing-street, 28 May 1845. G. W. HOPE.

Ordered, by The House of Commons, *to be Printed*, 28 May 1845.

— No. 1. —

(No. 58.)

No. 1.
Sir H. F. Bouverie, K.C.B. to Lord John Russell. 6 July 1840.

COPY of a DESPATCH from Governor Lieut.-general Sir *H. F. Bouverie*, K.C.B., to Lord *John Russell*.

My Lord, Malta, 6 July 1840.

I HAVE the honour to transmit to your Lordship, herewith inclosed, copy of a letter dated the 10th ultimo, which has been received from the house of Messrs. James Bell & Co., a mercantile establishment of this island, on the subject of a recent consignment made to them of a quantity of South American dollars, of less average weight than the weight assigned to those coins, as compared with the old Spanish dollar, which is current in this island at the rate of 4 *s.* 4 *d.* sterling.

Although the dollars received by Messrs. Bell & Co. have not been put into circulation, and although care be taken by the public departments of revenue not to receive South American dollars of inferior weight and fineness; still, as I should not be warranted, under the instructions which have been received here respecting South American dollars, to authorize the public departments to reject the light dollars, with the Mint mark of Z. 1839, particularly such of them as are not mutilated, but are in appearance perfect from the Mint, I fear that they will gradually find their way into these islands, to the exclusion of the better description of dollar, until at length a serious loss may be entailed on the public and the inhabitants; to remedy which the Government may be again called upon to interfere, as it was forced to do in the case of the base dollars of the Guadalaxara Mint, which were withdrawn from circulation in the year 1836.

I am aware of the extreme difficulty of averting the evil I anticipate by any act of a legislative nature within the island; but I venture to bring the subject under your Lordship's consideration, in the hope that some means may be devised by the Lords Commissioners of Her Majesty's Treasury, to remove the objection to which the South American dollars are at present so justly liable, from the circumstance that so very large a proportion of them are of inferior weight to the old Spanish dollar, which they were intended to replace in the circulating medium of these islands.

I have, &c.

To the Right Honourable Lord John Russell,
&c &c. &c. (signed) *H. F. Bouverie.*

Enclosure in No. 1.

Encl. in No. 1.

Sir, Malta, Valletta, 10 June 1840.

HAVING received by the last French steamer from Marseilles, two bags each, of 1,000 American dollars, chiefly Mexican, bearing the Mint mark Z., and for the most part of the year 1839, which on being put into the scales at the Anglo Maltese Bank, prove to weigh only 836 ½ English ounces each, instead of 866 ½ ounces, the legitimate weight, and each dollar having been subsequently weighed separately, there have only been found eight of full

full weight in the two bags; we deem it right to bring the circumstance to the notice of his Excellency the Governor, in order that if possible, measures may be taken to prevent the circulation in this island of coin of such inferior weight to the standard rate, the difference being 3 ½ per cent., or 1 $^{8}/_{10}$ pence in the value of each dollar.

As relates to these dollars, or any others we may receive of a similar nature, we shall of course abstain from putting them into circulation; but it is to be apprehended that this rule may not be observed by others, and indeed we are informed that similar dollars have already been circulated to some extent; which is the more easily done, as the dollars are chiefly new and appear perfect.

We are, &c.
(signed) *James Bell & Co.*

To Sir H. Greig, Chief Sec. to Government,
&c. &c. &c.

(A true Copy.)
(signed) *H. Greig,*
Chief Sec. to Government.

No. 2.
Lord John Russell to Governor Sir H. F. Bouverie, K. C. B.
31 August 1840.

— No. 2. —

(No. 80.)

COPY of a DESPATCH from Lord *John Russell* to Governor Lieut.-general Sir *H. F. Bouverie*, K.C.B.

Sir, Downing-street, 31 August 1840.

I HAVE to acknowledge the receipt of your despatch, No. 58, of the 5th of July, in which you call my attention to the prejudicial consequences which are likely to ensue from the importation into Malta of new South American dollars; and having consulted the Lords Commissioners of the Treasury on that subject, I find that their Lordships having in view the preceding letters from their Board, which were communicated to your predecessor in Lord Glenelg's instructions, No. 77, of the 25th of April, and No. 109, of the 17th September 1836, apprehend now that it might be inexpedient that any general prohibition of the circulation of dollars of particular marks or dates should be issued by you, but that it will be proper that due precaution should be taken for preventing the introduction or circulation of dollars of a less average weight or fineness than those which were comprised in the assays made at the Royal Mint in February 1834, both by prohibiting the receipt of any such dollars by the public departments, and by apprising the public generally of the proper average weight and value of the Spanish and South American dollars, as ascertained by those assays.

I am, &c.
(signed) *J. Russell.*

No. 3.
Governor Sir H. F. Bouverie, K. C. B. to Lord John Russell.
15 December 1840.

— No. 3. —

(No. 102.)

COPY of a DESPATCH from Governor Lieut.-general Sir *H. F. Bouverie*, K.C.B., to Lord *John Russell.*

My Lord, Malta, 15 December 1840.

SOME months ago I had the honour of addressing your Lordship on the state of the currency here, as far as it was affected by the introduction of South American dollars as a legal tender, which, being very unequal in their weight and value, varying from 4*s.* 1*d.* to 4*s.* 6*d.*, had occasioned a degree of embarrassment in the monetary affairs of the island that was likely to be attended with very serious consequences, from the withdrawing of the heavier dollars for melting, and the introduction of lighter ones into circulation.

I had the honour of your Lordship's reply, directing me to warn the public and the public offices against receiving light dollars.

This remedy, however, cannot be carried into effect, as there is an order from the Treasury to receive the South American dollars, if the average weight of 1,000 dollars is equal to 866 ounces; therefore if the light dollars come accompanied by the heavy ones, they are received at the public offices and by the Commissariat. But when these dollars are re-issued, they necessarily fall into small payments, and

and the proportion of heavy and light dollars cannot be maintained, still less do the transactions of retail trade admit the principle of average, or of payments in a currency of unequal weight and value; a light dollar may be offered to a shopkeeper which the holder has but just received from the Treasury of Government, the heavy dollar to compensate him may never reach his counter.

This state of matters has occasioned much alarm and excitement among the Maltese and English merchants, as, from the gradual withdrawing of the heavier dollars, the average weight of 866 ounces in the 1,000 dollars cannot now be made up, and the consequence has been that, out of a payment of 20,000 dollars lately tendered to the Commissariat, 17,000 dollars were refused.

In addition to the evils felt on the spot by this unequal currency, another exists equally onerous upon commerce, which is, that the South American dollars are not received in currency either in France, Italy, Sicily, or in any part of the Levant. Their circulation as a currency is limited to Malta and the Ionian Islands, and the holder of South American dollars in Malta is obliged to pay an agio, varying from one-half to two per cent., but chiefly the latter rate, to procure dollars to export to the Levant or the Continent of Europe; whilst if he exports the South American dollars themselves, he loses from four to five per cent. as compared with the Spanish pillar dollar, and if he exports British silver, it cannot be disposed of at a less loss than eight or ten per cent. as compared with the sovereign, which losses or differences of value are a virtual tax upon the consumer in Malta, in addition to vast inconvenience to the merchants.

Upon this subject I have the honour to enclose for your Lordship's consideration two letters from Messrs. James Bell & Co, and also two pamphlets written by Mr. Christian, a partner of that house, who appears to have examined the subject with some research. 25 September. 6 November.

Mr. Christian's proposition is, to withdraw from circulation as a currency the whole of the South American dollars, also so much of the British silver of the present coinage as the parties possessing it may offer in exchange for the new coinage to be substituted.

To establish in their stead a new coin of the value of 4*s.*, either on the old standard of 62*s.* for the pound troy of silver, or by encreasing the value of the standard an inconsiderable fraction, to make the 4*s.* piece of the same intrinsic value as the five franc piece of France.

To make the proposed new coin the sole legal tender for all payments above 2*l.*

Mr. Christian asserts that the proposed change of the currency could be adopted not only for the Mediterranean British possessions, but for all the colonies of Great Britain, at a very inconsiderable expense.

There are also enclosed two letters, one from the English merchants, and the other from the Maltese merchants, strongly urging the plan recommended in the pamphlets of Mr. Christian. 24 October. 1 December.

I may add, that there is but one opinion in the island as to the inconvenience and daily encreasing evil of the present system, and therefore it is my duty to forward to your Lordship the representations that have been made to me on the subject, for the purpose of receiving the further consideration of the Lords Commissioners of Her Majesty's Treasury.

I have, &c.

(signed) *H. F. Bouverie.*

Enclosure 1 in No. 3. Encl. 1, in No. 3

Sir, Malta, 25 September 1840.

The very great prejudice, loss, and inconvenience which the commerce of this island experiences, and has for some years suffered, by reason of the defective state of the currency, has induced one of the members of our house to put together some observations on the subject in the accompanying paper, of which we transmit you 12 copies.

We request you will have the goodness to lay it before His Excellency the Governor, with our prayer that he will bring it to the notice of the Secretary of State for the Colonies, and the Lords of the Treasury, and use his influential recommendation to procure the adoption of the remedy pointed out, if his Excellency deem it evil as great as we do, and agrees in the expediency of the proposed remedy.

We may shortly recapitulate the evils and the remedy:

The former are,

1. A depreciated British silver currency.

2. A currency of South American dollars unequal in weight and alloy, constantly depreciating by reason thereof, the more valuable dollars being collected for melting, and those of less value left in the circulation, with a continued importation of light dollars.

3. The continuance of monetary denominations of accounts in a currency almost extinct, causing the greatest perplexity to the numerous strangers, now so greatly increased by the effect of steam navigation; we believe the evils to be equally great in many other of the foreign possessions of Her Majesty, and the remedy proposed has the advantage of being equally applicable to them; but to us as bankers and merchants, it is of importance that it should be speedily applied, and we therefore trust his Excellency will urge it with that force of argument which he knows well how to use on subjects of the policy of which he is convinced.

That remedy is simply to withdraw from circulation:

1. All the South American dollars.

2. So much of the present British silver currency as is not wanted for minor payments, limiting the legal tender thereof to 40 *s.* in any one payment.

3. All the Maltese coins.

4. To give in exchange for the whole of these currency, pieces of 4 *s.* each, of a new coinage of the old silver standard, existing in England previous to the year 1816, and that these pieces of 4 *s.* should be the only legal tender above 2 *l.* sterling, leaving all foreign coins to find their market value according to demand and supply, and their intrinsic merit.

We have, &c.

To Sir H. Greig, Chief Sec. to Government, (signed) *James Bell & Co.*
&c. &c. &c.

Encl. 2, in No. 3.

Enclosure 2, in No. 3.

Sir, Malta, 6 November 1840.

We had the honour, on the 13th of last month, to address you a letter relative to the currency of this island, showing the defalcation in weight of the South American dollars, which had taken place in the short space of six years.

We are now under the necessity of bringing to the notice of his Excellency the Governor a circumstance which, unless a remedy be promptly found, must be of the most serious injury to the commerce of this island, inasmuch as that commerce is very dependent on the supply of sterling bills on the Treasury in England, which has been for a long series of years furnished by the British commissary, and which supply, by a recent regulation of Mr. Tupper Carey, the officer in charge, is threatened to be cut off.

On the 3d instant, we tendered to the commissary 20,000 South American dollars, at 51 ½ *d.* each, against his bills on the Treasury. Our offer was accepted, and the next morning we sent the money to the military chest, when the officers of the commissariat refused to receive any dollars of a less weight than 864 ounces troy per 1,000 dollars. In these 20 bags there was only one of that weight. Subsequently the officers were pleased to receive two bags of dollars weighing each 863 ounces, but rejected 17 bags, of which the weights are annexed.

We beg that it may be observed, that these dollars (which were drawn by us as usual, without selection, from the Anglo-Maltase Bank), average rather more in weight than those enumerated in our letter of the 13th ultimo. They are, moreover, we are well persuaded, full as heavy as the average currency of the island, and will not, we believe, be found more than a small fraction inferior to those daily received at the island treasury, where there is a more severe scrutiny than is or can be practised by individuals or at the banks.

It would answer no useful purpose if Mr. Commissary Carey were to reduce his minimum one or more ounces per 1,000, unless that minimum were equal to, or something less than, the average weight of the dollars in general circulation, for one half ounce above the average would be as much an exclusion as several ounces.

If the measure adopted by the commissary is consequent on orders from the Treasury in England, we trust his Excellency the Governor will, as soon as possible, point out to that department the baneful effects it must have on the commerce of the island in general, and on that of British merchants in particular. If it be a regulation established without such authority, we beg his Excellency to make use of the power he possesses, in his capacity of commander-in-chief of the forces, to rescind or suspend the regulation until an answer can be obtained from England, by which no detriment can accrue to the military or naval service, because the commissary can of course immediately reissue the dollars he may in the meantime receive, in preference to any others.

We have, &c.

Sir Hector Greig, (signed) *James Bell & Co.*
Chief Secretary to Government,
&c. &c.

WEIGHT of 20 Bags, each of 1,000 South American Dollars, offered to be delivered to the Military Chest at *Malta*, on the 4th November 1840, of which 17 bags were rejected as being short of the weight of 864 to 863 ounces, the minimum weight at which the Officer in Charge purposes now to receive the South American Dollars.

	ozs.		ozs.
1 bag, weighing -	864 }	1 bag, weighing -	861 ¼
1 „ „ - -	863 } received.	1 „ „ - -	861 ¼
1 „ „ - -	863 }	1 „ „ - -	861
1 „ „ - -	862 ¾	1 „ „ - -	861
1 „ „ - -	862	1 „ „ - -	860 ½
1 „ „ - -	862	1 „ „ - -	860
1 „ „ - -	862	1 „ „ - -	860
1 „ „ - -	861 ¾	1 „ „ - -	860
1 „ „ - -	861 ½	1 „ „ - -	859 ¼
1 „ „ - -	861 ¼		
1 „ „ - -	861 ¼		
20 bags.			17,228 ¾ ounces.

Or 20,000 dollars. Average, 861 $\frac{44}{100}$ ounces per 1,000 dollars.

Enclosure 3, in No. 3.

Encl. 3, in No. 3.

Sir, Commercial Rooms, Valletta, Malta, 24 Oct. 1840.

I HAVE the honour, as chairman of a general meeting of British merchants, held this day, to transmit your Excellency herein, a pamphlet "On the Currency of Malta," which having been submitted to said meeting, it was unanimously resolved, "That the body of British merchants concur entirely in the opinion of the writer of the said pamphlet as to the reality and extent of the evils pointed out therein, and as to the expediency of the remedy proposed."

In communicating this resolution to your Excellency I am deputed by the meeting to solicit that you will be pleased to call the attention of Her Majesty's Government to the pamphlet, and recommend to its favourable consideration the adoption of the scheme therein proposed, as a measure which will greatly advance the commercial interests and prosperity of these possessions.

I have, &c.
(signed) *John C. Ross*,
Chairman.

To his Excellency Lieut.-Gen. the Hon.
Sir H. F. Bouverie, K.C.B. &c. &c. &c.

Enclosure 4, in No. 3.

Encl. 4, in No. 3.

Committee of Maltese Merchants,
Valletta, 1 December 1840.

May it please your Excellency,

THE committee of Maltese merchants, persuaded that one of the principal cares of your Excellency is to promote the prosperity and well-being of the population and commerce of this island, request you will allow it to lay before you the present address, in the confident hope that your Excellency will be pleased to support the same by your valuable recommendation of its object to Her Majesty's Government.

The committee therefore requests your Excellency to observe, that the actual monetary system, and the introduction into this island of South American dollars as lawful money, have produced great damage and prejudice, under divers points of view, as shown and explained in the clearest manner in the small pamphlet recently published under the title, "Currency of Malta."

Wherefore the committee trusts that your Excellency will be pleased, in accordance with its humble prayer, to bring these circumstances to the knowledge of Her Majesty's Government, and recommend the expediency of an early remedy, whereby, without inflicting any burden on the island, one lawful coin only may be established, in such manner as the wisdom of Her Majesty's Government may deem most just, apposite, and convenient.

I have, &c.
(signed) *Francesco Sav° Farrugia*,
President of the Committee of
Maltese Merchants.

To his Excellency
Sir H. F. Bouverie, K.C.B. &c. &c. &c.

No. 4.
Governor Sir H. F. Bouverie, K. C. B. to Lord Stanley.
11 August 1842.

— No. 4. —

(No. 55.)

COPY of a DESPATCH from Governor Lieut.-general Sir *H. F. Bouverie*, K. C. B. to Lord *Stanley*.

My Lord, Malta, 11 August 1842.

I HAVE the honour to transmit to your Lordship, herewith inclosed, copy of a letter on the present state of the currency of Malta, addressed to me under date the 4th inst., by the chairman of a general meeting of the British merchants residing in this island.

The previous representation of the merchants on the same subject, dated the 24th October 1840, to which they now call attention, was forwarded to your Lordship's predecessor in my despatch of the 15th December 1840 (No. 102); and to what I then stated I have nothing to add, but that I have every reason to believe the assertion of the merchants, that the light South American dollar is gradually accumulating in the island to the proportionate exclusion of the heavier dollar.

I have, &c.
(signed) *H. F. Bouverie.*

Encl. in No. 4.

Enclosure in No. 4.

Sir, Commercial Rooms, Valletta, Malta, 4 August 1842.

IT is now upwards of 21 months since we had the honour of addressing to your Excellency a letter (of which the annexed is a copy) on the important subject of the currency of Malta.

Vide Mr. Ross's Letter, 24 October 1840, page 5.

We have seen with regret that Her Majesty's Ministers, to whom your Excellency forwarded our representations, have not as yet adopted any measures to remedy the great evils then pointed out. That these evils are daily augmenting is well known to your Excellency, and frequent representations have in the interval been addressed to the Chief Secretary's Office by individual merchants, more particularly on the 6th November and 13th December 1840, 11th and 23d March 1841, and 1st March 1842.

To these complaints we may now add, that the introduction of light South American dollars, from the continental ports, is incessant, to the prejudice of the honourable merchant who refrains from this illegitimate traffic, to the disadvantage of the circulation, thereby continually depreciating, and to the ultimate loss of the Government, which will doubtless redeem these dollars at the value at which they have been issued.

We therefore pray that your Excellency will again bring this subject to the notice of the Colonial Minister, and strongly urge the justice and expediency of adopting an early remedy.

We have, &c.

By order of the Meeting,

(signed) *John Grant*,
Chairman of a General Meeting
of British Merchants.

To His Excellency Lieut.-general
Sir H. F. Bouverie, K. C. B.
&c. &c. &c.

No. 5.
Lord Stanley to Governor Sir P. Stuart.
20 April 1844.

— No. 5. —

(No. 60.)

COPY of a DESPATCH from Lord *Stanley* to Governor Lieut.-general the Honourable Sir *P. Stuart*, G. C. M. G.

Sir, Downing-street, 20 April 1844.

HER Majesty's Government have had under their consideration your predecessor's despatches of the 15th December 1840, and the 11th August 1842, relative to the state of the currency in the Island of Malta.

Adverting

Proclamations:
12 June 1825.
11 October 1825.
6 March 1826.
28 May 1834.

Adverting to the proclamations issued by the government of Malta of the dates stated in the margin, establishing the rates at which the coin therein specified are to be received as legal tender, and likewise the rates at which the Sicilian and the Austrian Maria Theresa dollars are current, Her Majesty's Government can entertain no doubt but that the over-valuation of the Spanish and South American dollars, with reference to their intrinsic worth as compared with the sovereign and other British coins, must give rise to much inconvenience, and they are of opinion, therefore, that the correction of the over-valuation of those kinds of dollars, by removing an obvious obstruction to the circulation of British coin, will remedy most of the inconveniences which are represented to result from the present state of the currency at Malta.

The Queen has been advised, therefore, to issue a Proclamation and an Order of Her Majesty in Council, confirming the provisions of the several proclamations before adverted to of the Maltese government, so far as regards the valuation of British coins in the former currency of the island, and assigning correct values, with reference both to that currency and to British money, to the Spanish and South American dollars. And I have now to transmit to you Her Majesty's Orders in Council and Proclamation on the subject, and to instruct you to take steps for the promulgation of the same, so that they may take effect from the first day of the next ensuing month after the receipt of this despatch.

Orders in Council. Proclamation. Page 8.

As it appeared from the information possessed by Her Majesty's Government that only small quantities either of the Sicilian or Austrian dollars have been in circulation at Malta, and as the intrinsic value of those coins was not determined by assay at the same time as that of the South American dollars, it has not been thought necessary to insert them in Her Majesty's proclamation, nor to advert particularly to the small amount of gold or silver coins of the late Order of Saint John which may still remain in circulation.

I have further to apprize you, that as the Queen's Order in Council makes no general change in the valuations of coins current under the local proclamations before adverted to, which have been considered to have legal force in the island, but only corrects inaccuracy in a portion of those valuations, Her Majesty's Government do not deem it necessary that any provision should be made for legalizing a tender of dollars at the higher rates in discharge of debts under existing contracts expressed in Maltese currency or in British money, although they are not unaware that debtors under such contracts may have derived advantage from the option they have hitherto possessed of having recourse to that medium of payment.

Adverting to the statements contained in Sir Henry Bouverie's despatch of the 15th December 1840, relative to the circulation of dollars of insufficient weight, Her Majesty'sGovernment have to observe, that if it has been inferred that any regulations which may have been heretofore adopted in regard to the receipt into the commissariat or other public chests of Spanish or South American dollars, at the average weight of 866 ounces troy to 1,000 dollars, were intended to imply that, upon tender of a quantity of dollars at that average, it was imperative upon the public departments to receive them, however unequal or defective in weight many of the coins might be, such inference has arisen from misconception; and if any such impression, on the part of the government and public officers at Malta, has given opportunity for the introduction into general circulation in that island of dollars of inferior weight and value, recourse must be had, both by the officers of the commissariat and in other public departments, to a much more careful scrutiny of the weights of dollars tendered to them.

The proper weight of the Spanish dollar, upon which the above-mentioned average was founded, is 17 dwts. 8 grains troy; and on repeated examinations of parcels of the dollars of the South American states it has been found, that although they have been irregularly minted, a very large proportion of the coins are above, or fully equal to that weight; and consequently that, with proper circumspection, there could be no difficulty in preventing any general introduction or circulation of dollars of insufficient weight, making reasonable allowance for wear.

The correction, by Her Majesty's proclamation, of the over-valuation of the dollar, as compared with British money, will remove the impediment which has

hitherto existed to the more general and permanent circulation of the latter at Malta, and will probably conduce to the general introduction and use of British coin in the island, whereby the necessity for having recourse to dollars, and the opportunities for attempting the circulation of those of lighter weight, as well as the trouble of using proper precaution to detect and prevent this proceeding, and the inconvenience to which the inhabitants might consider themselves to be thereby exposed will be most materially diminished; but so long as the dollar continues to be a legal tender, it will be incumbent, both on the public departments and on the inhabitants in general, to exercise that precaution by testing the weight of the coins tendered.

I have therefore to desire that you will issue the necessary directions, in conformity with these remarks, to the departments of the civil government, and that you will take such steps as may be requisite for putting the inhabitants on their guard and inducing them to rely on their own watchfulness for security against any further circulation of light dollars.

I have, &c.

(signed) *Stanley.*

(L. S.)

AT the Court at Buckingham Palace, the 4th of March 1844.

Present:—The QUEEN's Most Excellent Majesty; His Royal Highness Prince ALBERT; Lord President, Lord Privy Seal, Duke of Wellington, Earl of Jersey, Earl of Haddington, Earl of Aberdeen, Lord Stanley, Sir Robert Peel, Bart., Mr. Chancellor of the Exchequer, Sir James Graham, Bart, Sir Edward Knatchbull, Bart.

WHEREAS by an Order of his late Majesty King George the Fourth, made with the advice of his Privy Council, and bearing date the 23d of March 1825, after reciting amongst other things that it had been represented to his Majesty at the Council Board, by the Lords Commissioners of his Majesty's Treasury, that they had given directions that his Majesty's troops serving in the several British colonies and possessions abroad, should in certain cases be paid in British silver and copper money, and that with the view of securing the circulation of such money in those colonies, it would be expedient that an Order in Council should be issued, declaring that in all those colonies where the Spanish dollar was then, either by law, fact, or practice, considered as a legal tender for the discharge of debts; or where the duties to the Goverment were rated or collected, or the individuals had a right to pay in that description of coin, that a tender and payment of British silver money, to the amount of 4*s.* 4*d.*, should be considered as equivalent to the tender or payment of one Spanish dollar, and so in proportion for any greater or less amount of debt; and also that British copper money should be made a legal tender in all the British colonies for its due and proper proportions of British silver money as by law established in Great Britain, but that no person should be compelled to take more than 12 *d.* in copper money at one payment; his said late Majesty was pleased to approve of what was proposed in the said representation.

And whereas it is expedient that the said Order in Council should be revoked so far as respects Her Majesty's colony of Malta and its dependencies, save and except that part of it which relates to the tender and payment of British copper money; be it therefore and it is hereby ordered by the QUEEN's Most Excellent Majesty, by and with the advice of her Privy Council, that so far as respects Her Majesty's said colony of Malta and its dependencies, the said recited Order, save and except as it regards the tender of British copper money, shall be and the same is hereby rescinded.

And whereas, on the 11th day of October in the year 1825, Lieutenant-general Sir Manley Power, Knight Commander of the Most honourable Military Order of the Bath, and Lieutenant-governor administering the Government of the Island of Malta and its dependencies, did cause to be published in the said island the said

said Order made by his late Majesty King George the Fourth, by and with the advice of his Privy Council, on the 23d of March 1825, relating to the circulation and tender of British silver and copper money in the colonies, and did thereupon further cause to be published a Proclamation in the words following; that is to say,

"His Honor the Lieutenant-governor having received, for his information and guidance, the foregoing Order of his Majesty in Council from the Right honourable the Earl of Bathurst, one of his Majesty's principal Secretaries of State, is pleased to order and direct as follows:

"That from the 25th day of December next inclusive the several provisions of the said Order of his Majesty in Council shall be strictly observed and enforced, so far as they are applicable to this island and its dependencies; and debts and engagements for the payment of money shall be dischargeable in British silver money, or in Spanish pillar dollars at the rate of 4*s*. 4*d*. each, at the option of the debtor.

"That from the said date British copper money shall be within these possessions a legal tender for its due and proper proportions of British silver money as by law established in Great Britain; provided that no person be compelled to take more than 12*d*. in copper money at any one payment.

"That from the same date shall stand repealed the Proclamation of the 10th of June 1824, fixing the current value in Maltese currency of the Spanish dollar; which thenceforth shall pass current in exchange with Maltese currency for the same amount in that currency as 4*s*. 4*d*. of the British silver money: the British metallic currency continuing to be equivalent in reference to and in exchange with Maltese currency at the rates specified in the Proclamation of the 9th June last.

"That from the said 25th day of December next inclusive the Spanish dollar will be issued, in all payments on Government account, at the said rate of 4*s*. 4*d*.; and all dues to the Crown shall be paid either in British silver money, or in Spanish dollars at the rate of 4*s*. 4*d*. each, or in Maltese currency (at the rates specified in the Proclamation above mentioned of the 9th June last), at the option of the person paying, according to the printed Schedules put up in the respective public offices. All Government accounts, however, will from and after the said date be kept and rendered exclusively in British money."

And whereas, on the 22d day of November in the year 1825, the said Lieutenant-governor administering the Government of the Island of Malta did cause to be published in the said island a minute or notification in the following words; that is to say,

"His Honor the Lieutenant-governor, in adverting to the Proclamation of the 11th October last, is pleased to notify, for general information, that the Sicilian dollar will be received after the 25th December next by the Government Treasury, and paid away by it at the same rate as at present."

And whereas, on the 27th day of May 1834, Major-general the Honourable Frederick Cavendish Ponsonby, Lieutenant-governor administering the Government of the Island of Malta and its dependencies, caused to be published in the said island a Proclamation in the words following; that is to say,

"Whereas his Majesty's Government has deemed it expedient that the military chests in the colonies shall be supplied with dollars of the South American States, as hereinafter more particularly described; and whereas it is therefore necessary to provide for the free circulation within these islands of the coins above mentioned, His Excellency the Lieutenant-governor is hereby pleased to order and direct,

"I. That, from and after the date hereof, the dollar of the following South American States, namely, Mexico, Peru, Bolivia, Chili, and Rio Plata, shall pass current within these islands, at the rate of 4*s*. 4*d*. British sterling money, being the same rate at which the Spanish pillar dollar is now current in these possessions.

"II. That, from the said date, the South American dollars above mentioned will be received and issued by the Treasury of this island, and by all Government agents and authorities, at the rate in British sterling specified in the preceding article."

And whereas on the 1st day of September, in the year 1838, a "Government notice," published by the command of the Governor of Malta, stating that "Whereas various small silver coins of certain foreign States," which had "by general sufferance, though not otherwise legally, passed current, at fractional rates respectively corresponding with the value of the Maltese or current dollar of 30 tari, his Excellency the Governor has been pleased to direct that no such foreign silver coins below the value of current dollars, except only certain half-dollar pieces (which will be taken as heretofore), will be received at the treasury of the island, or by any agent or public officer of the Government after the 10th day of the present month."

And whereas it is expedient that the said hereinbefore recited proclamations of officers administering the Government of Malta, of the 11th day of October 1825, and of the 27th day of May 1834, and likewise the said recited notification of the 22d day of November 1825, and also the Government notice of the 1st day of September 1838, so far as the circulation or tender of half-dollar pieces might be authorized thereby, should be revoked; be it therefore, and it is hereby further ordered, by the Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, that from and after the date of the publication of these presents, in the Island of Malta, by the Governor or officer administering the Government thereof, the said proclamations, notification, and Government notice, shall be, and the same are hereby revoked and rescinded.

And whereas, on the 9th day of June in the year 1825, the said Lieutenant-general Sir Manley Power, Lieutenant-governor, administering the Government of the Island of Malta and its dependencies, caused to be published in the said island a proclamation, in the words and figures following; that is to say,

"His Honor the Lieutenant-governor is pleased to enact and declare, that from and after the 24th instant the British silver and copper coins hereinafter enumerated shall pass current in the Island of Malta and its dependencies, at the following rates respectively of Maltese money, viz.:—

Silver.

	Scudi.	Tari.	Grains.	Grains.
The Crown or 5 shilling piece - - -	3	- 0	- 0	or 720
The half-crown 2 *s.* 6 *d.* ditto - - -	1	- 6	- 0	— 360
The shilling - - - - - -	0	- 7	- 4	— 144
The sixpence - - - - - -	0	- 3	- 12	— 72

Copper.

The penny - - - - - - - - - - - -	12
The halfpenny - - - - - - - - - - - -	6
The farthing - - - - - - - - - - - -	3

"In all payments to Government the abovementioned British coins will be received at the treasury and all other public offices of the Government, at the rates specified in Maltese currency, and issued in the same manner.

"His Honor is pleased further to notify that the measure above stated is preparatory to the general introduction of the British metallic currency as the circulating medium in these possessions."

And whereas on the 6th day of March in the year 1826, Major-general Alexander Woodford, as Lieutenant-governor administering the Government of the Island of Malta and its dependencies, caused to be published in the said island a proclamation, in the words and figures following; that is to say,

"His Honor the Lieutenant-governor, with reference to the proclamation of the 9th of June 1825 (No. XIV.), is pleased to order and direct that the British gold coins, called sovereigns and half-sovereigns, shall hereafter pass current in these islands for their relative value of 20 *s.* and 10 *s.* sterling each respectively."

And whereas on the 3d day of November, in the year 1827, the said Major-general the Honourable Frederick Cavendish Ponsonby, Lieutenant-governor administering

administering the Government of the Island of Malta and its dependencies, caused to be published in the said island a proclamation in the words following; that is to say,

"Whereas by the Proclamation No. XIV., dated the 9th June 1825, the intention of his Majesty's Government generally to introduce the British metallic currency as the circulating medium in these possessions was avowed and declared, and with that view the British silver and copper coins, viz., crowns, half-crowns, shillings, and sixpences, pence, half-pence and farthings, were ordained to be here current at the rates respectively of Maltese money therein mentioned; and whereas his Majesty deeming it expedient that a copper coin of a less value than the British farthing (now current at the rate of three Malta grains each) should be provided for the accommodation of this population, was graciously pleased to order that certain pieces of copper money should be coined in England, which should be called 'British grains,' every such piece having for the obverse impression his Majesty's effigy, with the inscription 'Georgius IV. Dei Gratia' and the date of the year, and for the reverse the figure of Britainnia, represented seated holding a trident in her left hand, with the emblems of the United Kingdom underneath the figure, and with the inscription 'Britanniar: Rex Fid: Def:' and whereas the said coin is now arrived and at the disposal of Government; the Lieutenant-governor enacts and declares, that the British grains above described shall, from and after the date of this proclamation, pass and be received, within the Island of Malta and its dependencies, as current and lawful money of Great Britain, every such grain piece as of the value of one grain of Malta money, and in relation to and exchange for other British copper coin as follows, viz.:—

12 for one penny piece;
6 for one halfpenny;
3 for one farthing;

at which said rates the British grain will henceforth be paid and received by the treasury, and other officers of the Government."

And whereas on the 6th day of November, in the year 1827, the said Lieutenant-governor the Honourable Frederick Cavendish Ponsonby, caused to be published in the said Island of Malta a further proclamation, stating that,

"Whereas a new copper coinage, fully adequate and well adapted to the wants and accommodation of the people, has now, through the paternal care of his Majesty's Government, been provided for circulation, and established as current in these possessions, his Excellency the Lieutenant-governor is pleased to enact and ordain:

"1. That from and after the 20th of November then instant, no copper money, except the British penny, halfpenny, farthing and grain pieces, shall pass or be received as the lawful currency of the Island of Malta and its dependencies.

"2. That, consequently, from and after the said date the Malta copper money, namely, the four, two, and one tari pieces, and the ten, five, and one grain pieces, shall cease to be current, and shall no longer be considered as coins of any value."

And further providing for the exchange of the said Malta copper money for other current money of the island.

And whereas it is expedient that the provisions and directions contained in the said recited proclamations of the 9th day of June 1825, of the 6th day of March 1826, of the 3d and 6th days of November 1827, should be approved and confirmed; be it therefore, and it is hereby further ordered, by the Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, that the same shall be and are hereby approved and confirmed accordingly. Provided always, and it is hereby further ordered and declared, that all acts, matters, and things heretofore done, under or by virtue of the said proclamations or notices now confirmed, or under or by virtue of the said proclamations or notices which are hereby revoked and rescinded, or any or either of them, shall be and remain valid and effectual to all intents and purposes, as if the said proclamations had been issued or confirmed by Her Majesty or Her Royal predecessors.

And the Lords Commissioners of Her Majesty's Treasury, and the Right Honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, are to give the necessary directions herein accordingly.

(signed) *William L. Bathurst.*

A PROCLAMATION BY THE QUEEN.

WHEREAS the Coins current in Our Island of Malta and its dependencies, consist partly of the current coin of the United Kingdom, and partly of Spanish, Mexican, and Columbian silver coins called dollars, and it is expedient that the rate at which the said dollars shall circulate in our said colony, shall be correctly ascertained and fixed: Now therefore We, by the advice of Our Privy Council, have thought fit to declare and ordain, and by the advice aforesaid do hereby declare and ordain, that throughout Our said Island of Malta and its dependencies, the dollar of Spain, Mexico, or the South American States, shall circulate and be received in payment as being of the full value and equivalent to 4 *s.* 2 *d.* sterling money of the United Kingdom. And in all payments to be made in Our said Island and its dependencies, tender or payment in the said coins, at the rate aforesaid, shall be deemed and taken to be a lawful tender, in the same manner as if such tender had been made in the current coin of the United Kingdom.

(L. S.)

AT the Court at Buckingham Palace, the 4th of March 1844.

Present:—The QUEEN'S Most Excellent Majesty; His Royal Highness Prince ALBERT; Lord President, Lord Privy Seal, Duke of Wellington, Earl of Jersey, Earl of Haddington, Earl of Aberdeen, Lord Stanley, Sir Robert Peel, Bart., Mr. Chancellor of the Exchequer, Sir James Graham, Bart., Sir Edward Knatchbull, Bart.

WHEREAS there was this day read at the Board the draft of a Proclamation, regulating the rate at which certain foreign coins are to pass current in Her Majesty's Island of Malta and its dependencies, Her Majesty having taken the same into consideration, was pleased, by and with the advice of Her Privy Council, to approve thereof, and to order, and it is hereby ordered, that the said proclamation do take effect and come into force in Her Majesty's said island and the dependencies thereof, from and after such day as shall be for that purpose limited by the Governor or officer administering the Government of the same, by a proclamation to be by him for that purpose issued.

And the Lords Commissioners of Her Majesty's Treasury, and the Right Honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, are to give requisite directions for causing publication to be made hereof in Her Majesty's said island, and for other purposes referred to therein.

(signed) *Wm. L. Bathurst.*

— No. 6. —

No. 6.
Governor Sir P. Stuart to Lord Stanley. 15 May 1844.

(No. 27.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 15 May 1844.

I HAD the honour to receive on the 12th instant your Lordship's despatch, No. 60, dated the 20th ultimo, transmitting to me Her Majesty's Orders in Council and Proclamation for remedying the inconvenience which has arisen in the state of the currency of these islands from an over-valuation of the Spanish and South American dollars, with reference to their intrinsic worth, as compared with the sovereign and other British coins, and instructing me to take steps for the promulgation of the same, so that they might take effect from the first day of the next ensuing month after the receipt of your Lordship's despatch.

The

The anticipation of this measure having the effect of reducing the rate at which the Spanish and South American dollar is to be considered as a legal tender and pass current in these islands to 4*s.* 2*d.* instead of 4*s.* 4*d.*, the value they now bear, which became known here some weeks ago, in consequence of a notice issued by the naval commander-in-chief to the ships under his command, stating that the Spanish and South American dollars were to be paid to the navy at the rate of 4*s.* 2*d.* created much sensation in the public mind, arising from the fact that South American dollars form at present the only circulating medium, as a certain quantity of Sicilian dollars, brought over here recently to pay for the wheat exported to Sicily, can only be considered as of temporary stay, and British silver has nearly disappeared, having been sent to England as remittances in consequence of the low rate of exchange.

Much discussion has taken place on the subject, but no doubt seems to have been left on the minds of any one that the loss was to be borne by the Government, and not by the public. It has been alleged and argued,

1st. That the South American dollars were unknown in the circulation of Malta until the 27th May 1834, when they were introduced under the proclamation of that date, at the rate of 4*s.* 4*d.* British sterling money, on the express ground that his Majesty's Government has deemed it expedient that the military chests in the colonies should be supplied with such dollars, and that it became therefore necessary to provide for the free circulation of the same within these islands at the rate of 4*s.* 4*d.*, being the same rate at which the Spanish pillar dollar was then current.

2d. That the South American dollar having been introduced for a special object, unconnected with the commercial or domestic wants of the place, the faith of the British Government was understood to have become pledged for the maintenance of the coin at the value established for such special object, which was, that the soldier receiving a dollar for every 4*s.* 4*d.* due to him on account of his pay, should have the power of passing it in the market at the same rate.

3d. That so far from the trade having benefited from the introduction of these dollars, it has been much inconvenienced by the measure; first, by their want of currency at a corresponding value in the neighbouring countries, and secondly, from their irregularity in weight one with another, whereby they are frequently rejected when tendered in payment for Commissariat Bills of Exchange.

4th That the British Treasury has continued to derive, on the supplies sent out to the commissariat chest since the first introduction of the South American dollars, whatever profit may have attached to their past over-valuation in Malta, and that consequently, the loss which will attend their reduction to a correct valuation ought not to fall upon the holders, but upon the party which has derived the benefit of their over-valuation—this party being the British Treasury. That the inhabitants of Malta, on the contrary, having had no advantage whatsoever from the introduction of these dollars, but having sustained inconvenience, not to say loss, from the measure, cannot in justice be called upon to suffer the serious loss which will result from the proposed reduction in rate.

It may be observed that the effect of the reduction in Malta would be widely different from its effect at Gibraltar, where, although the South American dollars have been for 18 months past issued to the troops at 4*s.* 2*d.*, I am informed that payments and recoveries by the revenue departments still continue at 4*s.* 4*d.*

It has also been brought to my notice that in the year 1806, when the value of the Spanish doubloon was reduced from 16 to 15½ dollars, and in 1827 when the Maltese copper tokens of the ancient Government were called in, the loss was sustained by the British Treasury, and I am inclined to believe that the public will consider that those are fair precedents for the course of proceeding which should govern the reduction in value about to take place.

The foregoing remarks are strictly confided to the question of the expediency of throwing upon the inhabitants the loss that will arise from reducing the current value of the South American dollar from 4*s.* 4*d.* to 4*s.* 2*d.*, and as it is calculated that there may be a million of these dollars now in Malta, a loss must fall somewhere to the amount of from 8,000*l.* to 9,000*l.* sterling.

I am not aware whether your Lordship has adverted to the fact that these dollars were introduced through the military chest into these islands, but being

thoroughly convinced that the measure of lowering their value, without indemnifying their holders from the British Treasury, will occasion the greatest discontent and remonstrance from the inhabitants, I have been induced to take upon myself the responsibility of delaying the publication of the Orders in Council and Proclamation, and of postponing the execution of your Lordship's orders to carry the measure into effect, until I shall receive your Lordship's further instructions on the subject.

I have been the less reluctant to adopt this line, as no public inconvenience will arise from a short delay, as your Lordship will have an opportunity to send me your further orders by the overland mail of the 6th June, and I reckon that this despatch will reach your Lordship on the 29th instant by the French mail.

I have, &c.
(signed) *P. Stuart.*

No. 7.
Governor Sir P. Stuart to Lord Stanley.
15 May 1844.

— No. 7. —

(No. 28.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 15 May 1844.

IN my previous despatch of this day's date, No. 27, I had the honour to bring under your Lordship's consideration the question of the loss that will accrue from the reduction in the South American dollars from 4*s.* 4*d.* to 4*s.* 2*d.*, under the Orders in Council transmitted to me in your Lordship's despatch, No. 60, of the 20th of April last.

In the same despatch, your Lordship adverts to another question, viz. the irregularity of the weight of the South American dollar, as represented by my predecessor Sir Henry Bouverie, in his despatch of the 15th December 1840, No. 102; and I deem it right to mention to your Lordship that a question has been submitted to me in my military capacity, by the officer in charge of the commissariat here, whether the Treasury instructions direct that each dollar is to be weighed separately, and rejected if under 17 dwts. 8 grains troy, or that the number to be received average in proportion the weight fixed per thousand (866 ounces troy), taking care that they are genuine and in good condition, but that he is led to conceive that the latter mode is that which is intended to be followed.

The deputy commissary-general states, that from various experiments he had already made of bags of dollars that weighed collectively 866 ounces to 1,000 dollars, he has found that about 400, in each bag of 1,000, are under the weight of 17 dwts. 8 grains, and that this irregularity of weight has arisen even in bags of dollars that have been received by him direct from the Treasury in England. The same result is found to be the case with the South American dollars in the island treasury, and consequently, if the public departments refuse to receive dollars that are individually under the weight of 17 dwts. 8 grains, about one-third of the whole amount of South American dollars now in circulation will be rejected, should the individual weight of each dollar be tested.

Your Lordship will at once perceive that much inconvenience will arise in the minor trade transactions of the island, if the scrutiny of testing each dollar must be applied in all small retail dealings; in fact, this irregularity of weight will continue to present a vast difficulty in the cirulation of the South American dollar as a legal tender.

As the question of the weight of the dollars is not necessarily connected with the measure of carrying the reduction of their value into effect, I have deemed it right to make it the subject of this second despatch.

I have, &c.
(signed) *P. Stewart.*

— No. 8. —

No. 8.
Lord Stanley to Governor Sir P. Stuart.
23 June 1844.

(No. 69.)

COPY of a DESPATCH from Lord *Stanley* to Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G.

Sir, Downing-street, 23 June 1844.

I HAVE received your despatches (Nos. 27 and 28), of the 15th ultimo, in which you represent that a loss, which you estimate at 8,000 *l.*, or 9,000 *l.*, will be sustained by holders of dollars at Malta, on the promulgation of Her Majesty's Proclamation, reducing the rate at which the dollar shall be a legal tender, from 4 *s.* 4 *d.* to 4 *s.* 2 *d.*; that this loss ought to be made good by the British Treasury, and that the irregularity in the weight of the South American dollars, from inaccuracy in the coinage of them, will occasion much inconvenience in the minor trading transactions of the island, if the weight of each dollar must be tested, and will continue to present a difficulty in the circulation of that coin as a legal tender.

As regards the propositions contained in your despatch (No. 27), and the arguments adduced in support of them, Her Majesty's Government have to remark, that in cases in which the Spanish dollar had formerly been used as a circulating medium, recourse to the use of the dollars of the South American states as substitutes for it had become unavoidable, from the discontinuance of a sufficient supply of the Spanish coins, and from the general practice of coining into dollars the silver produced at the South American mines, and that the introduction and use of the South American coins at Malta, as well as in other of Her Majesty's colonial possessions, was equally as convenient and beneficial to the inhabitants and to the local government as to the military or any other branch of the public service.

Consequently, Her Majesty's Government can in no respect admit that there is any sufficient foundation for the allegation that the South American dollars were introduced for a special object unconnected with the commercial or domestic wants of the place; neither does it appear to them that the circumstance of remittances having in some instances been made from this country for the service of the commissariat chest in those dollars, or the profit which might be supposed to have resulted from issuing them for the pay of the troops, would warrant an assumption that the faith of the British Government could in any respect have been pledged for maintaining the coins at any particular value after the issue of them at that value should be discontinued

Her Majesty's Government, therefore, cannot recognise any such claim on the British Treasury as would appear to be contemplated in your despatch, and they cannot admit that the cases instanced in 1806 and 1827, which occurred during a period when it was customary to draw largely from the funds of this country for defraying civil and other local charges of the island, can with any propriety be adduced as precedents on the present occasion.

It is shown, moreover, both by the instructions conveyed to the commissary and to the local authorities at Malta, that the payments made from the military chest in 1827 had, at the time, been considered to constitute "a debt due from the island, to be repaid out of the surplus revenue;" and under all the circumstances of the present case, if the holders of dollars at Malta were entitled to the species of indemnification adverted to in your despatch, it appears to Her Majesty's Government that it would be more properly payable by the local government from the island treasury.

But adverting to the exchange at which public bills have for some time past been negotiated at Malta, Her Majesty's Government do not apprehend that the prospective discontinuance of the fictitious value which has been assigned to the dollar in local transactions will materially affect the holders of those coins, except as regards some portion of the existing balances in the public chests, and they are not aware of anything that should afford any reasonable pretext for claims for indemnification of such nature or extent as those adverted to in your despatch, or which should render it necessary to furnish you with any instructions on that subject,

ject, beyond a general direction, in the event of claims being preferred, to submit them for the decision of Her Majesty's Government.

Referring to the subject of your despatch (No. 28), I have to observe that the suggestion of precautions in regard to weighing the South American dollars arose from the representations of the Maltese government, that a surreptitious advantage had been taken by parties in the island of the irregularity in the weight of the coins, by abstracting the heavier coins, and leaving the light ones only in circulation, whereby the circulating medium of the island became generally deteriorated. As no such proceeding could be attributed to the officers in charge either of the commissariat chest or of the local treasury, the inconvenience or detriment attending that deterioration has been created by the Maltese public, and must be met and remedied by precautions on their part, even to the extent, if it be found necessary, of weighing individual coins.

Her Majesty's Government apprehend that it will be equally incumbent on the public departments to adopt this species of precaution, should it be found that the receipt and issue of dollars of insufficient weight cannot be prevented by weighing them in smaller numbers than has hitherto been the practice.

As, however, it may be expected that the impediments to the circulation of British money at Malta will be removed by the rectification of the value of the dollar and the extrusion of dollars of light weight, Her Majesty's Government see no reason to doubt that British silver and other coins may henceforth remain in general circulation, and that they may, in great measure, supersede the use of the dollar in all ordinary payments, which will greatly tend to relieve the inhabitants from the inconvenience to which you refer.

I have, &c.

(signed) *Stanley.*

— No. 9. —

No. 9.
Governor Sir P. Stuart to Lord Stanley.
18 July 1844.

(No. 49.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 18 July 1844.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 23d ultimo (No. 69), in reply to my despatches (Nos. 27 and 28), of the 15th of May last; and I have now the honour to enclose herewith copy of a proclamation which I have issued this day, promulgating Her Majesty's Orders in Council and Proclamation respecting the currency of the Island of Malta which accompanied your Lordship's despatch, No. 60, of the 20th of April last, and declaring that the provisions of Her Majesty's Proclamation are to take effect here on the 1st day of August next.

For Proclamation and Order in Council, *vide* page 8.

I have, &c.

(signed) *P. Stuart.*

— No. 10. —

No. 10.
Governor Sir P. Stuart to Lord Stanley.
12 Aug. 1844.

(No. 53.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G. C. M. G., to Lord *Stanley*.

My Lord, Malta, 12 August 1844.

I HAD the honour of reporting to your Lordship, in my despatch of the 18th ultimo, (No. 49), that I had, according to instructions, carried into effect the promulgation

mulgation of Her Majesty's Proclamation relating to the reduction in the value of the Spanish, Mexican, and South American dollars from 4*s.* 4*d.* to 4*s.* 2*d.* This, as we foresaw, has caused great discontent and dissatisfaction in the island, particularly among bankers, mercantile men, and other large holders of dollars. Many, no doubt, will have lost material sums by the reduction; and, during the fortnight intervening between the promulgation and the operation of the measure, some loss was suffered by the public, and especially by the poorer classes, from the rise in the price of provisions in the market in consequence of the discredit attaching to the dollars in question.

In the meantime, not to aggravate the evil, the colonial treasury (through the several accounting departments) was open to all parties offering the payment of rents and duties, while no payments from the Treasury were tendered. The savings bank attached to the Monte di Pietà was also kept open for deposits of savings until it was discovered that some individuals, not of the general class of depositors, had taken advantage of this charitable institution in order to secure themselves against the loss on the dollars. It then became necessary to close the bank until the end of the month. Other individuals advanced money to the holders of pawn-tickets, to enable them to redeem their pledges from the Monte di Pietà, substituting themselves as the holders of the pledges; but against this abuse there was no practicable check.

The loss sustained by the departments administered by government is as follows:—

	Dollars.	Loss.		
		£.	*s.*	*d.*
In the Colonial Treasury, on - -	221,694	1,847	9	–
In the Monte di Pietà (including the savings bank) - - - -	29,056	242	2	8
In the Registries of the Courts of Justice - - - - - -	1,009	8	8	2
Dollars - -	251,759	£. 2,097	19	10

If we may judge from the collections of revenue made during the first six months of the current year, there is room for hope that the loss of the colonial treasury may be covered by a surplus likely to accrue on the revenue of the whole year.

Whatever loss has been sustained by individuals in consequence of the reduction in the current rate of the dollars, is now of past consideration; an evil of a more permanent nature, and through which I cannot clearly see our way, has arisen from the adoption of the greater rigour which has been ordered in testing the weight of the Mexican and South American dollars.

In consequence of the irregularity in the weight of the dollars issued from the Mexican and South American mints, in which state they have been thrown into circulation here, as well through the commissariat as by private importers, a bag of 1,000 dollars, of a reasonable average weight, will be found to contain two-fifths that are short of the standard weight of 17 dwts. 8 grains, and which, consequently, will now be refused by the collecting departments, while the light dollars already collected will be withheld from circulation by the colonial treasury, thus throwing, perhaps, one-third of the local currency out of circulation. The deputy commissary-general has also advertised for tenders for bills on Her Majesty's Treasury, requiring the full weight of 866 ounces for every 1,000 dollars; a proceeding which can only be met on the part of the trade by abstracting the heavy dollars from the mass in circulation. It is hard to say what further loss the inhabitants are not likely to sustain from having, perhaps, half a million of light dollars left on their hands.

These combined measures have created a general panic, and all confidence in

the coin is lost. The Sicilian dollar, which has now ceased to be a legal tender, is always in such demand for procuring the supplies from Sicily, that it maintains its former rate of 4 *s.* 2 *d.*; and though refused by the public offices, is taken conventionally by merchants, and in the markets, in preference to the South American dollar. The Spanish pillar dollar, placed by the Queen's Proclamation on the same footing with the South American dollar, obtains an agio of $3\frac{8}{12}$ *d.*, the rate of 2 scudi, 8 tari, 4 grains (= 4*s.* $5\frac{8}{12}$ *d.*), being offered for them at the present time for commercial purposes.

In the meantime nearly all the British silver has been withdrawn in remittances to England, and great inconvenience is suffered from the want of small change.

The Spanish pillar dollar has not been generally in circulation in Malta for years past, its current value elsewhere having constantly insured to it a premium of $1\frac{1}{2}$ to 2 per cent., and sometimes more; those that still remain in circulation are likely to disappear entirely, now that their current value has been reduced; it is, therefore, difficult to foresee the extent of embarrassment which will be felt until measures are adopted for establishing the currency on a sound and determinate basis; an end that can scarcely be attained while a coinage so irregular in weight as the dollars of Mexico and the South American States continues to be the principal circulating medium, for, in respect to British silver, it can scarcely be hoped that it ever will become a permanent substitute for the dollar; it is so deficient in intrinsic value that it may be doubtful whether, as the only coin in circulation, it will serve as a legal tender to an unlimited extent; it is not calculated for remittance to any part of the Mediterranean, excepting, perhaps, to the Ionian Islands; but independent of these considerations, it is to be feared that whenever the exchange with England makes it the interest of the merchant to send the British silver home as a remittance instead of bills, the quantity in circulation will be liable to be diminished to an extent that will occasion inconvenience to the public.

I have, &c.
(signed) *P. Stuart.*

— No. 11. —

No. 11.
Governor Sir P. Stuart to Lord Stanley.
13 Aug. 1844.

(No. 54.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 13 August 1844.

I HAVE the honour to transmit to your Lordship, herewith inclosed, copy of a letter, dated the 5th instant, with its enclosure, and a translation into English, received from the President of the Bank of Malta on the 7th instant, in which he claims, in his own name and in the name of the directors of the bank, the sum of 12,987 scudi, 8 tari, and 8 grains of Malta, equal to 1,082 *l.* 6 *s.* 2 *d.* sterling, as an indemnification for the difference of value of 129,877 Spanish and South American dollars existing in the bank on the 31st of July last, after the close of its transactions for that day, in consequence of Her Majesty's Proclamation promulgated by me on the 18th of July, to have effect from the 1st of the present month.

In conformity to the instructions contained in your Lordship's despatch of the 23d of June last (No. 69), respecting the claims for indemnification, which it was foreseen would be preferred here in consequence of the alteration in the current value of the Spanish and South American dollars; the answer which I directed to be returned to the letter from the president of the Bank of Malta was, that I would take an early opportunity of submitting it for the decision of Her Majesty's Government.

I have, &c.
(signed) *P. Stuart.*

Enclosure in No. 11.

(TRANSLATION.)

Sir, Malta Bank, Valletta, 5 August 1844. Enclosure in No. 11.

I HAVE the honour to acquaint you, that as his Excellency the Governor was not pleased to comply with the request made to him by the directors of the Bank of Malta, touching the verification of the amount of Mexican and South American dollars, as well that of Spanish pillared dollars, existing in the bank on the 31st July last past, for the purpose set forth in my letter of the 23d of same month, the directors aforesaid (though persuaded that the books of the bank would form a sufficient proof) have thought proper to make such verification through the medium of a public notary, and it has resulted that the number of Mexican and South American dollars existing in the bank on the 31st of July last, after the close of its operations, amounted to 118,244, weighing 101,981 English ounces, and the number of the Spanish pillared dollars to 11,633, weighing 10,004 English ounces, as appears by the annexed document.

Therefore, the difference resulting on said 118,244 Mexican and South American dollars, and 11,633 Spanish pillared dollars, forming together 129,877 dollars, at 2 *d.* each, according to the law proclaimed by his Excellency on the 18th of said month of July, amounts to 12,987 scudi 8 tari and 8 grains.

Now, as such difference ought not to remain to the prejudice of those interested with the bank, the directors expect that the bank be indemnified by Government for the amount of loss which it has thus suffered by its act.

I am therefore charged to demand, and through the medium of the present in my quality of president I demand, that the Government do indemnify and pay to the Malta Bank the abovementioned sum of 12,987 scudi 8 tari and 8 grains, and to which effect I beg that his Excellency will give analogous orders.

With esteem, &c.
(signed) *Bingio Tagliaferro*, President.

To the Hon. W. Sim,
Acting Chief Secretary to Government, &c. &c. &c.

By this public instrument of declaration, Be it known and made manifest, that, on the day of the date hereof, at the instance and request of Mr. Edward Gingell, cashier of the Bank of Malta, and in pursuance of a resolution of the president and board of directors thereof, I, William John Stevens, notary public by Royal authority, duly admitted and sworn, residing and practising at the Island of Malta, did repair, at the hour of seven in afternoon, to the bank aforesaid, when and where, in the presence of the said cashier, and Mr. William Leonard and Mr. Rosario Messina, directors of said bank, I took an account of the Spanish pillared, Mexican and South American dollars existing in the strong-room of the said bank, consisting of 11 bags of 1,000 Spanish pillared dollars each, and another bag containing 633 Spanish pillared dollars, making together 11,633 Spanish pillared dollars, and 118 bags of 1,000 Mexican and South American dollars each, and another bag containing 244 Mexican and South American dollars, making together 118,244 Mexican and South American dollars, which amounts I confronted with the balance-sheet of the books of the said bank, and found the same to agree.

And having had weighed in my presence, and in presence of the cashier and directors aforesaid, each of the said bags of dollars separately, with all due care and attention, I declare in and by these presents have found the total result to be—

Of the Mexican and South American dollars, 101,981 ounces English troy weight; and

Of the Spanish pillared dollars, 10,004 ounces English troy weight.

In witness whereof, the said chashier and directors, with me, the notary aforesaid, have hereunto set and subscribed the present, at the city of La Valletta, in the Island of Malta aforesaid, this 31st day of July, in the year of our Lord 1844, in presence of the subscribed witnesses.

(signed) *E. Gingell*, Cashier
Wm. Leonard, *R. Messina*, Directors } of the Bank of Malta.

Witnesses,
(signed) *G. A. Stevens.*
Salvᵉ Cutruffo.

In testimonium veritas,
(signed) *W. J. Stevens*, Notary Public, Malta.

(L. S.) (A true Copy.)

Quod attestor,
(signed) *W. J. Stevens*, Notary Public, Malta.

— No. 12. —

(No. 55.)

No. 12.
Governor Sir P. Stuart to Lord Stanley.
26 Aug. 1844.

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 26 August 1844.

SINCE I had the honour of addressing to your Lordship my despatch, No. 53, of the 12th instant, I wrote a few hurried lines by the way of Marseilles, which I hope will have reached your Lordship sooner than the present despatch, and will have prepared your Lordship to learn officially that the inconvenience experienced here, on account of the number of light Mexican and South American dollars in circulation, has rather increased than otherwise; and that I see no possible measure, which it is in my power to adopt, that would sensibly ameliorate the present very unsatisfactory state of the island on account of the rejection of the light dollars by the commissariat, and the other public departments, and the consequent universal rejection of them by the public, without entailing a loss to the local revenues, which I do not consider myself warranted to incur.

The only measure which it appears to me would afford relief to the present distress, occasioned by the almost total derangement of the circulating medium, would be the putting into circulation a quantity of British silver money; and I strongly recommend that the Lords Commissioners of Her Majesty's Treasury should be requested to send out here, with as little delay as possible, British silver to the extent of at least 20,000 *l.*, beyond what may be estimated as the wants of the commissariat department, on account of the falling off in the number of South American dollars, which must necessarily be the result of weighing them individually; by which operation they will be divided into two classes,—the light ones, not passable in the market, and the heavy ones, intrinsically worth more than their legal current value,—a division which must eventually drive the one and the other class entirely out of the island.

For the above amount of 20,000 *l.* in British silver, the local treasury will have the means of paying the commissariat department in South American dollars, as bullion, at whatever rate their Lordships of the Treasury may be pleased to fix.

From the result of repeated trials made in the colonial treasury, it is calculated that the average loss, from deficient weight, upon the whole of the Mexican and South American dollars in circulation, is half per cent.; that the proportion of light dollars is 40 in every 100, and that the average loss in the light ones is $2\frac{3}{4}$ per cent., from which three data it follows that, upon the exact and heavy dollars mixed together, there is a gain of one per cent. in weight. Therefore, as the treasury takes and gives out only dollars of the full weight tested singly, and as the commercial banks take them by the average weight in mass, a person receiving a payment from the treasury, and lodging the money in one of the commercial banks, (whether directly or through a mercantile house) will obtain a profit of one per cent. It is true that the treasury can, at first, lessen this excess by keeping back until the last the heaviest dollars, which, if timely relieved by the substitution of British silver, would serve for a makeweight (as bullion) with the light dollars withheld by the treasury from circulation. The lowest weight that the treasury can easily make up in a bag of 1,000 passable dollars is $869\frac{1}{2}$ oz.; while a bag of the same number, composed of the surplus dollars, has been found to weigh no less than $890\frac{1}{4}$ oz. The bags of the rejected dollars, made up in thousands, vary but little in weight, being upon an average $842\frac{1}{2}$ oz. Here then is a disparity of $47\frac{3}{4}$ oz., or nearly one pennyweight per dollar, between uninjured dollars issued from the same mints, calculated by the average, but taken singly, the disparity has been found within the range of nearly two pennyweights, or 10 per cent.

In this state of things, it must necessarily follow that the light dollars, being refused in the markets, will find their way into the commercial banks, by weight instead of number, and will in time be exported as bullion. The heavy dollars, which will then remain, being of intrinsic value beyond their legal current rate, will also disappear, partly and more immediately by the substitution of Sicilian dollars, which, though ceased as a legal tender, are taken by the commercial banks by mutual convention with their depositors, and readily pass in the shops and markets through the predilection of the people, stimulated by their prejudice against the South American dollars. From all these causes, a great inconvenience will

will for some time be felt by the public, in finding a legal tender for payment of the Government duties, taxes, and rents. The rejection of the Sicilian dollars, and of the light South American dollars, has left a large vacuum in the stock of legally-circulating money; and it therefore seems highly important that the earliest opportunities should be taken for supplying this deficiency by means of adequate importations of British silver, which may supersede the Sicilian dollars that must be expected in the meantime to flow into the circulation. These dollars will naturally be used to buy up as much of the money which may be issued from the colonial treasury and commissariat chest, as will be wanted for paying up the revenues; and, with this exception, the Sicilian dollars are likely to form the bulk of the circulating coin, until supplies of British silver reach the place.

I have, &c.
(signed) *P. Stuart.*

— No. 13. —

(No. 56.)

No. 13. Governor Sir P. Stuart to Lord Stanley. 27 Aug. 1844.

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 27 August 1844.

AFTER I had closed my despatch to your Lordship of yesterday's date, No. 55, I received a petition from a number of merchants and traders of the island, complaining of the measure of reducing the value of the Spanish and South American dollars; but more particularly of the inconvenience occasioned to the trade by the rejection of the light South American dollars, and praying that a remedy may be applied.

In transmitting a copy of this petition to your Lordship, accompanied by a translation into English, I can only say that I see no practicable remedy for the evil complained of, short of declaring that the South American dollars should pass current at their present established value, without any reference to their weight, and this would not only be a deviation from the instructions contained in your Lordship's despatch of the 23d of June last, No. 69, but would lead to a renewal of the practice of abstracting the heavier dollar from circulation, and introducing light ones in their stead; a practice which has prevailed here in time past to an extent which has greatly aggravated the inconvenience complained of in the petition.

17 August.

I have, &c.
(signed) *P. Stuart.*

Enclosure in No. 13.

(TRANSLATION.)

Enclosure in No. 13.

TO His Excellency the Honourable Sir *Patrick Stuart*, Governor of the Island of *Malta* and its Dependencies, &c. &c. &c.

The Humble Petition of the undersigned Merchants and Tradesmen,

Sheweth,

That, referring to your Excellency's proclamation of the 18th of July last, promulgating Her Majesty's Order in Council, whereby it was declared that Mexican and South American dollars should pass current, and be received in payment in these islands, from and after the 1st instant, at 4 *s.* 2 *d.*, although they had been made current here by the same government, by proclamation of the 27th of May 1834, at 4 *s.* 4 *d.*, your petitioners beg leave to state that the said proclamation of the 18th ultimo has caused a general consternation; so much so, that at least it is supposed the Government has not considered the prejudice to be caused by such a measure.

That this was followed up by a step, even more prejudicial and vexatious, adopted in the public departments, in which South American dollars, under a certain weight for each dollar, are no longer received, and this without a uniformity of weight in such respective offices, which measure has produced a still greater confusion.

That this measure is so much the more extraordinary and onerous, by reason that the Government on introducing into these islands the Mexican and South American dollars, was certainly not ignorant of the difference of weight existing among these coins, and knew that a great portion of them was of a weight inferior to that at which only they are at this day received in the public departments here.

That

That hitherto the Government received and paid away these dollars indiscriminately, in consequence whereof the public in like manner received them accordingly.

That this recent meaure has crowned the numerous evils to which the commerce of these islands and the population in general have unfortunately been subjected, owing to the scarcity of a currency having a fixed value; and such at the present time is the want of public confidence on this head, that every kind of business has become most difficult, no faith whatever being now placed in the money which the Government is at present pleased to make legal in these islands. The injustice and the evil effects of this measure are so glaring, that your petitioners do not deem it necessary further to take up your Excellency's time on the subject. They do not hesitate to say that the actual monetary situation of Malta is a positive calamity.

Consequently they request your Excellency to take into your most serious consideration the critical position in which the commerce of Malta is more than ever placed, owing to the measures above referred to, in order that your Excellency may, as soon as possible, apply a remedy.

And as in duty bound, &c.

(signed)

John Robinson & Co.
Tho. Corlett.
R. Messina.
G. Buttigieg.
E. Zammit.
P. Eynaud & Co.
Raphael Ferro.
N. Ataliotty.
L. Barbar.
Thomas Seddall.
Dr J. M. Stilon.
Francesco Busietta.
Emmanuele Degiorgio.
P. Paolo Decesare.
R. Duckworth & Co.
Davidson & Scerry.
Saverio Demarco.
James Bell & Co.
Filip Aquilina.
Gio. Semini.
Ge Montebello Pulis.
Ge Petrocochino & Co.
Pasquale Apap.
Fratelli Xerrj.
G. Brandenburg.
James Aspinall.
Em. Tagliaferro e Figo.
Carlo Gauci.
Franco Saverio Chetcuti.
Carmelo Muscat.
Tho. Southwood.
G. B. Schembri e Figli.
Paolo Nicolosi e Flo.
Gio. Sevastopulo.
Charles Curry.
Antonio Galea.
Paolo Busuttil.
R. A. Hunter.
B. Tagliaferro e Figli.
Peter Stuart & Co.
Gerolamo Tessi.
Giorgio Felice.
Ge Scicluna e Figli.
Ge Cesareo.
Lorenzo Gauci.
Luigi P. Vella.
Alessandro Vaffiadachi.
MacDowall, Brs.
Ge Mirabita & Co.
Giuse di Mle Camilleri.
Giuseppe Fiamengo.
Michel' Angelo Xuerep.
Giuseppe Darmanin.
Michele Borg.
Giuseppe Gambin.
Giovanni Darmanin.
Giuseppe Darmanin.
Michele Borg.
Paolo Frendo.
Paolo Muscat.
Cristoforo Buccia e Figli.
Carlo Bugeja e Figli.
Angelo Galea.
Carmelo Griseti.
Carlo Farrugia e Figli.
Salvatore Mifsud Tommasi.
Giuse Grech.
Giuseppe Azupardi.
G. Montano.
Henry Morris.
Lorenzo Diacono.
Rosario Busuttil.
Orazio Abela.
Rose & Co.
Salvatore Albanese.
Francesco Mallia.
Fortunato Vella.
Abele Vella.
Antonio Dimech.
Antonio Zamit.
Giovanni Zammit.
Christ. Davli.
Giuseppe Zarb.
Alberto Dingli.
Gio. Batta Bugeja.
Girolmo Zarb.
Giuse Pisani.
Michele Lini.
Vincenzo Azzopardi.
C. H. A. Maempel.
Fco Saverio Bugeja, Negte.
Gio. Batta Diacono.
Giovanni Spiteri.
Ge Sonnino.

La Valletta, Malta, 17 August 1844.

— No. 14. —

No. 14.
Governor Sir P. Stuart to Lord Stanley.
31 August 1844.

(No. 59.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 31 August 1844.

I HAVE the honour to transmit to your Lordship, copy of a letter of yesterday's date, which has been received from Messrs. James Bell & Co., merchants of this island, inclosing copy of a letter addressed by them under the same date to the Lords Commissioners of Her Majesty's Treasury, in which they prefer a claim on the commissariat department here, arising out of a difference of opinion between them and the deputy commissary-general, in respect to the mode of receiving into the commissariat chest, dollars of the South American States, tendered for bills on Her Majesty's Treasury.

As the original of Messrs. James Bell & Co.'s representation to their Lordships of the Treasury is to be presented by their partners in London, and as every explanation

explanation will no doubt be furnished to their Lordships by the deputy commissary-general here, on the subject of that representation, I do not think it necessary for me to enter into the merits of the case, and I limit myself, therefore, to the simple transmission of the inclosed copies for your Lordship's information, as requested by Messrs. James Bell & Co.

I have, &c.
(signed) *P. Stuart.*

Enclosure in No. 14.

Sir, Malta, 30 August 1844. Enclosure in No. 14.

Being informed that any representation or claim from this island addressed to the authorities at home, will not be attended to, unless passing through his Excellency the Governor, we request you will lay before his Excellency the copy herewith of a letter which we have addressed to the Lords Commissioners of Her Majesty's Treasury, advancing a claim of 17*l.* 9*s.* 9*d.*, which we consider due to us by the commissariat department. The original letter and copies of the correspondence with Mr. Commissary Carey, we purpose to send through our own friends in London.

The expected arrival of the packet, renders it impossible to make other copies for his Excellency, but they can be obtained if required from the commissariat office.

It is scarcely necessary to mention, that our object in this application is twofold: to obtain our just right, and to give a practical example of the injurious working of the late regulations relating to the currency of this island.

We are, &c.
(signed) *James Bell & Co.*

To Wm. Sim, Esq.
Acting Chief Secretary to Government, Malta.

My Lords, Malta, 30 August 1844.

We take the liberty to bring before your Lordships a claim which we consider well founded, on the commissariat department of this island.

Pursuant to the commissary's advertisement of the 5th inst., of which a printed copy is herewith we tendered him, on the 22d August, 12,000 dollars for bills on the Treasury at 4*s.* 2*d.* each, which was accepted. In conformity therewith, sundry bags of dollars were sent in, all of which weighed 866 ounces troy, or more. The commissary deemed it his duty to weigh every dollar, and rejected on the first day, and on the forenoon of the second day, all dollars under the weight of 17 penny weights and 8 grains, and subsequently all dollars under 17 penny weights and 5 grains, the effects of this proceeding were—

That it necessitated the delivery, and the individual and aggregate weighing of 17,000 dollars, of which the particulars are annexed, the selected and rejected dollars being then re-weighed, it was found that we had delivered 12,000 dollars,

	oz.
Weighing - - - - - - - - - - -	10,464 ¾
Instead of 12,000 dollars of 866 ounces each thousand, or -	10,392
Being - - -	72 ¾

more than we contracted to deliver, for the value of which we claim 17*l.* 9*s.* 9*d.*

The commissary, we conceive, has misinterpreted your Lordships instructions, which would not command an impossibility; for if each dollar weighed 17 penny weights and 8 grains, there would be no average, though the aggregate of 1,000 would be 866 ounces; but these dollars weighing some more and some less than 17 penny weights and 8 grains, it is evident that the spirit and meaning of your Lordships instructions, is to prevent the commissariat from receiving a less medium weight than 866 ounces.

Nor can it be supposed that your Lordships would authorize the extracting from the public all the heavy dollars, after that they had previously been issued from the commissariat at unequal weights, an evil unfortunately attached to this coin; it must rather, we conceive, be your Lordships intention to receive them as issued, of an average good weight, or 866 ounces per thousand.

We trust your Lordships will not consider the smallness of the claim a reason for refusing it attention. It must always be important that public departments, as well as individuals, should be held to the due execution of the engagements they make.

We have, &c.
(signed) *James Bell & Co.*

To the Lords Commissioners of
Her Majesty's Treasury, London.

P.S.—We annex copies of our correspondence with the commissary. It would be agreeable to us to have an acknowledgment of our letter, addressed to our partners in London, Messrs. T. & H. Ranking & Co.

Weight of 17 Bags containing 17,000 Dollars, before counting.			Note of Dollars received and rejected from each Bag.				Weight after counting 12,000 Dollars at the Commissariat.		
No.	Dollars.	Weight at the Bank.	No.	Dollars Received.	Dollars Rejected.	Total.	No.	Dollars.	Weight.
		oz.							*oz.*
1	1,000	867 ¼	1	638	362	1,000	1	1,000	870
2	1,000	867 ¼	2	641	359	1,000	2	1,000	870
3	1,000	866 ¾	3	645	355	1,000	3	1,000	869 ¾
4	1,000	866 ¾	4	634	366	1,000			
5	1,000	866 ¾	5	954	46	1,000	4	1,000	868
6	1,000	866 ¾	6	488	512	1,000	5	1,000	874 ½
7	1,000	866	7	731	269	1,000	6	1,000	876
8	1,000	867 ½	8	753	247	1,000	7	1,000	868 ½
9	1,000	866	9	700	300	1,000	8	1,000	874 ¼
10	1,000	867 ¼	10	900	100	1,000	9	1,000	874
11	1,000	866	11	771	229	1,000	10	1,000	873 ¼
12	1,000	866	12	704	296	1,000	11	1,000	873 ¼
13	1,000	866	13	725	275	1,000	12	1,000	873 ¼
14	1,000	866	14	791	209	1,000			
15	1,000	866 ½	15	746	254	1,000			
16	1,000	866	16	748	252	1,000			
17	1,000	866 ¼	17	431	569	1,000			
	17,000	14,731		12,000	5,000	17,000		12,000	10,464 ¾

— No. 15. —

No. 15.
Governor Sir P. Stuart to Lord Stanley.
4 Sept. 1844.

(No. 62.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 4 September 1844.

I HAVE the honour to transmit to your Lordship, herewith inclosed, copy of a letter of yesterday's date, which has been received from the president of the Anglo-Maltese Bank, claiming the sum of 743 *l.* 7 *s.* as an indemnification for the loss to which that Bank has been subjected in consequence of the enactments of the proclamation of the 18th of July last, copy of which accompanied my despatch to your Lordship of that date, No. 49.

I have informed the president of the Anglo-Maltese Bank, that a copy of his letter would be forwarded to your Lordship by this day's mail.

I have, &c.
(signed) *P. Stuart.*

Enclosure in No. 15.

Enclosure in No. 15.

"Anglo-Maltese" Bank, Valletta, Malta,
3 September 1844.

Sir,

IN reference to my letter of the 23d July, in which I solicited, on behalf of the directors of this bank, that his Excellency the Governor would appoint some one on the part of Government to take cognizance of the South American dollars existing in its coffers on the 1st of August last, I have now the honour to request that you will bring before his Excellency our claim for the loss to which this bank has been subjected consequent on the enactments of the proclamation of the 18th of July last. It amounts to 743 *l.* 7 *s.*, as per schedule annexed.

The smallness of the amount arises from the circumstance that the directors had long been apprehensive of some measure on the part of Government relative to South American dollars, which might compromise their interests, and therefore kept back, in preference, the Neapolitan dollars, so that their stock of South American coin formed a very small proportion of their cash balance on the 1st of August last.

That this claim is founded on justice and equity, appears to the directors and shareholders and others (keeping accounts with the bank) undeniable, on the following grounds.

That on the 26th May 1834, a minute of Government was published, stating the results of the examination at his Majesty's mints of the dollar of the South American States, and showing

showing that they were as valuable and of better weight and fineness than the pillar dollar, then forming the greater part of the currency of the island.

That on the 27th of May 1834, a proclamation was issued, ordering that they should pass current at 4*s.* 4*d.* each. But experience has proved that the officers of the Mint had made an erroneous or a too limited test, and that though it may be true that on the average they were of good weight, the irregularity of the individual weight rendered that circumstance of no value. No precaution was taken either by the commissariat or by the officers of government either in issuing or receiving individual light dollars; none therefore could be taken by the public. Moreover the weights designated are unknown in Malta, and nowhere are there standards of troy weight for reference.

From this inequality of weight, and from the want of timely precaution on the part of government and the commissariat, from the fact of many light dollars having been sent out to and issued by the commissariat, mixed with others of greater weight, and from the importation by individuals of light dollars, with and without fraudulent intention, has arisen the low average weight which now prevails, the difference of which, with that intended to be established by government, is the ground of our claim for the value of difference of weight.

The proclamation of the 27th May 1834, states that His Majesty's Government deemed it expedient to supply the military chests with South American dollars, and made them a legal tender at 4*s.* 4*d.* They thereby declared that such was their value, with all faults. But it was otherwise; this coin answered the purposes of a currency until all better coins, equally or proportionately rated, left the island. Then it was found that all imported articles must be paid for with it; or, which is the same thing, that the more valuable currency, which had left us, must for that purpose be repurchased with more of this defective currency. From that moment it was, *pro tanto*, depreciated, and the reduction now made by government in its value had, in part or entirely, previously taken place for all purposes of foreign trade; all which was, from time to time, represented in the proper quarter.

It is then clearly established, that either by faults of commission or omission, the loss is caused by the acts of government; and the plainest dictates of justice require that this bank should not thereby suffer. Nor does it, in the opinion of its directors, weaken their claim, that it may be difficult to give to others, having equal claims, a like indemnity; an act of justice is not the less imperative because it cannot be universal. This coin continued, however, to be a token of the value put upon it by the proclamation of 1834, till that of the 18th July 1844 appeared, when its representative value of 4*s.* 4*d.* at once disappeared, to the extent of twopence the dollar.

It cannot be denied that all governments and public companies are bound to redeem their tokens at the price they issue them, before they fix upon them another value. Such has ever been the practice in England and in the possessions of England abroad.

During the late war, the Bank of England issued the Spanish dollars with an accessory stamp, at 5*s.*, and subsequently called them in. The government of this island acted on a similar principle in 1806, with a notable sacrifice, and in 1827 it called in the copper tokens of the Knights of St. John of Jerusalem, at the value they were issued, with a still greater loss.

For these reasons and others which may suggest themselves to his Excellency, we trust that he will demand authority to grant the indemnity claimed.

It is not for the directors of this bank to point out from what source it should come, otherwise than by stating that former precedents would certainly indicate that it must be from the British Treasury, and not from that of Malta.

I have, &c.

(signed) *Samuel Christian*,
President of the Anglo-Maltese Bank.

Claim of the Anglo-Maltese Bank for Loss incurred by the effect of the Proclamation of the 18th July 1844.

The Bank held, as appears by the annexed notarial document, on the 1st of August 1844, of South American dollars 80,385 at 2*d.* each - - - - -	£.			669	17 6
These dollars, at the rate of 866 oz. for 1,000 dollars, would weigh - - - - - - - - - -	*oz.* 69,613	*dwt.* 8	*gr.* 5		
But were found to weigh only - - - - -	69,307	15	–		
Difference - -	305	13	5		
At 4*s.* 2*d.* per dollar of 17 dwts. and 8 grains - - - - - - -				73	9 6
	£.			743	7 –

N. B.—No claim is made for Spanish dollars, because they maintain their former value of 4*s.* 4*d.* to 4*s.* 4½*d.* The average weight of the dollars in the bank is greater than the average of the dollars in general circulation.

(signed) *Sam. Christian.*

By this public Instrument of declaration, Be it known and made manifest, that on the day of the date hereof, at the instance and request of Mr. Guiseppe Ullo, cashier of the Anglo-Maltese Bank, and in pursuance of a resolution of the president and board of directors thereof, I, William John Stevens, notary public by Royal authority, duly admitted and sworn, residing and practising at the Island of Malta, did repair, after the closing hour, to the bank aforesaid, when and where, in the presence of the said cashier and Mr. John Grant and Mr. Robert Arbouin Hunter, directors of said establishment, I took an account of the Spanish pillared, Mexican, and South American dollars existing in the strong room of the said bank, consisting of 18 bags of 1,000 Spanish pillared dollars each, and another bag containing 632 Spanish pillared dollars, making together 18,632 Spanish pillared dollars, and 80 bags of 1,000 Mexican and South American dollars each, and another bag with 385 Mexican and South American dollars, making together 80,385 Mexican and South American dollars, which amounts I confronted with the balance sheet, as well as with the cash book of the said bank, and found the same to agree.

And having had weighed in my presence, and in presence of the cashier and directors aforesaid, each of the said bags of dollars separately, with all due care and attention, I declare in and by these presents to have found the total result to be—

Of the Spanish pillared dollars, 16,043¼ ounces; and

Of the Mexican and South American dollars, 69,307¾ ounces troy weight of England.

In witness whereof, the said cashier and directors, with me, the notary aforesaid, and in confirmation of the truth of my aforegoing declaration, have hereunto set and subscribed the present, at the City of La Valletta, in the Island of Malta aforesaid, this 31st day of the month of July, in the year of our Lord 1844, and in the presence of the subscribed witnesses.

(signed) *J. Grant,* *R. A. Hunter,* Directors *Jos. Ullo,* Cashier } of the Anglo-Maltese Bank.

(signed) *Giovanni Lupini,* *G. A. Stevens,* } Witnesses.

Ita est,

(signed) *W. J. Stevens,* Notary Public, Malta.

(L. S.) (A true Copy.)

Quod attestor,

(signed) *W. J. Stevens,* Notary Public, Malta.

— No. 16. —

No. 16.
Lord Stanley to Governor Sir P. Stuart.
2 Oct. 1844.

Copy of a DESPATCH from Lord *Stanley* to Governor Lieut.-general the Honourable Sir *P. Stuart,* G. C. M. G.

No. 95.

Sir, Downing-street, 2 Oct. 1844.

No. 49, 18 July.
No. 53, 12 Aug.
No. 54, 13 Aug.
No. 55, 26 Aug.
No. 56, 27 Aug.
No. 59, 31 Aug.
No. 62, 4 Sept.

Her Majesty's Government have had under their consideration your despatches of the numbers and dates noted in the margin, relative to the currency of Malta.

They approve of the measures reported in your despatch, No. 53, in regard to receipts and payments at the Treasury during the period between 18th July and 1st of August, and to the attempts to keep the savings' bank open during the same period.

The directions for testing more accurately the weight of dollars tendered to the public departments, and which have necessarily led to the adoption of precautions in that respect by the community at large, had become indispensable as the only check upon the very reprehensible practices which were represented to have been pursued, both of abstracting the dollars of proper or superior weight from circulation, and of introducing and putting into circulation dollars of inferior weight.

The inconvenience attending that test has unavoidably resulted from those practices, but Her Majesty's Government apprehend that it will be greatly mitigated by the more general circulation of British money; and they are not prepared, by having recourse to the alternative of excluding the South American dollars from the legalized currency, to deprive the commercial and other classes of the island community of the privilege of using those coins as a legal tender of payment.

I herewith

In Treasury, 27 Sept. 2.

I herewith transmit to you copies of the communications which the Lords Commissioners of the Treasury have caused to be addressed to the officer in charge of the commissariat, and to the officer commanding the troops at Malta, from which you will perceive that their Lordships have already caused considerable remittances in British silver coin to be forwarded to Malta, and have given authority for the transfer of any requisite portion of those remittances to the colonial treasury.

As the receipt of this coin by the commissariat and other public departments, without limitation as to amount, as well as its availableness for remittance to this country, will fully maintain its nominal value, Her Majesty's Government see no reason to doubt that it will very sufficiently answer all purposes of local currency, and that, with the addition of British gold coin, and of dollars at their proper weight and real intrinsic worth, there will be no want of an ample circulating medium of well ascertained value.

As reference, however, is made by you to the Sicilian dollar as likely to come largely into use, I have to apprise you, that, if you should consider it advisable and advantageous to the inhabitants that tender of these coins at their intrinsic worth should be legalised, Her Majesty's Government would not object to such legalisation. It will be necessary, however, that you should furnish specimens of the coins for assay.

It has not been thought necessary to authorise the Commissary to receive from the treasurer any dollars below the proper weight. It will be advisable that you should cause such dollars as may be in the treasury under that weight to be consigned to the agent-general in this country, in order that their value may be realised, and returned to the island in British coin.

You will perceive, from the communication to the officer commanding the troops, that the Lords Commissioners of the Treasury have had occasion to advert to an order given to the commissary to receive dollars when not below the weight of 17 dwts. 5 grains, Her Majesty's Government are not apprised specifically of the reasons for this arrangement, or whether it extends to the colonial treasury, but surmising that it has been intended thereby to make some countervailing allowance for overweight of many of the dollars, they conceive, although it may not call for marked disapprobation or directions for immediate revocation, that it will tend to continue, though in a minor degree, the deterioration of the circulating medium, and the uncertainty and distrust as to the weight of the dollars that may remain in circulation, and that an early opportunity should be taken for rescinding it.

The Lords Commissioners of the Treasury having signified to the officer in charge of the commissariat their opinion as to the inadmissibility of the claims preferred by Messrs. Bell & Co., I have only further to state, with reference to your despatch on this subject, that the alteration to the real value of the dollar, of the rate at which dollars should be a tender in payment of sums due in British money, without the receipt or issue of those coins being in other respects affected or interfered with, does not appear to Her Majesty's Government to afford any ground whatever for the claims submitted to you on behalf of the Bank of Malta and the Anglo-Maltese Bank, or for the dissatisfaction on the part of large holders of dollars, to which you have adverted in your despatch (No. 53) of 12th of August.

I am, &c.
(signed) *Stanley.*

Enclosure in No. 16.

Enclosure in No. 16.

Sir, Treasury Chambers, 27 Sept. 1844.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit for your information copy of a communication from this Board to the officer in charge of the commissariat at Malta, and I am to aquaint you, with reference to the authority you had conveyed to him on 24th August to receive into the commissariat chest dollars weighing 17 dwts. 5 grs., that it does not appear from any documents before my Lords upon what grounds this order was issued, or whether a similar regulation has been adopted in the transaction of the colonnial treasury; but I am to observe, that although the admission of dollars of this minimum weight may be compensated in payments of large amount by the overweight of other coins, it will obviously afford opportunity for continuing in some degree

the practice of circulating dollars of less than the proper intrinsic value, and my Lords therefore conceive it should not be continued, and an early opportunity should be taken for revoking the order.

I am &c.

The Officer Commanding,
Malta.

(signed) *C. E. Trevelyan.*

Sir, Treasury Chambers, 27 Sept. 1844.

I am commanded by the Lords Commissioners H. M. Treasury, to acquaint you with reference to your letters No. 1421, 1425, 1428, 1431, 1432, and 1435, that the remittances of British silver coin which my Lords have already directed to be made for the service of the commissariat chest under your charge, including the amount of ten thousand pounds intended for Corfu, which you were authorized, if necessary, to retain at Malta, will as their Lordships apprehend, have put you in possession of sufficient means for meeting the demands on your department, and for supplying requisitions from the colonial treasury for British coins.

I am also to apprise you that a further sum of 10,000 *l.* in British coin will be remitted to you by the packet of the 3rd of October, and an equal sum by the packet of the following month; and you are to consider yourself authorised to make such transfers of this coin to the colonial treasury as the government may require, taking care, however, to retain sufficient to meet demands upon your own chest, the issues from which for the pay of the troops or other disbursements in the island not payable by bills, should be made, as far as possible, in British gold or silver coin, reserving dollars for advances for naval services, or other large payments not effected by your bills.

In exchange for such transfers you may receive from the colonial treasury dollars of not less than the proper weight of 17 dwts. 8 grs. each, my Lords being of opinion that the receipt or issue by you of dollars below that weight should be discontinued as soon as practicable, in respect of which discontinuance their Lordships propose to cause instructions to be conveyed to the Governor and officer commanding the troops.

I am further to acquaint you, with reference to the application from Messrs. James Bell and Co., for an allowance in respect of the overweight of dollars paid into the chest under their tender of 22d August, that as it was open to those parties, on acquiescing in the weighing of the individual coins, to have withdrawn those of overweight, my Lords see no sufficient grounds for admitting the claim they have preferred, or for sanctioning the payment on that account for which they have applied.

I am also to observe that, in advertising for tenders for your bills, it will be expedient to give explicit notice that no dollars below the regulated weight will henceforward be received by you in payment for bills tendered for in that coin.

I am, &c.

Deputy Commissary General Carey,
Malta.

(signed) *C. E. Trevelyan.*

— No. 17. —

No. 17.
Governor Sir P. Stuart to Lord Stanley.
23 October 1844.

(No. 73.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 23 October 1844.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch (No. 95), dated the 2d instant, and in obedience to your orders I transmit herewith seven specimens of the different Sicilian dollars, at present in circulation in these islands, for assay.

Ferd. IV. 1805.
Do. 1816.
Ferd. I. 1818.
Fran. I. 1825.
Do 1826.
Ferd. II. 1835.
Do. 1843.

I have also given directions to the colonial cashier to prepare for immediate transmission to the agent general in England 50,000 Mexican and South American dollars, under the weight of 17 dwts. 8 grs., which will remain in the agent's hands waiting your Lordship's orders: and in regard to other topics in your Lordship's despatch requiring explanation, I shall refer to them in subsequent despatches which I shall have occasion to address to your Lordship by this mail, on the subject of the currency of this island.

I have, &c.

(signed) *P. Stuart.*

— No. 18. —

(No. 77.)

No. 18.
Sir P. Stuart to Lord Stanley.
29 October 1844.

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 29 October 1844.

IN conformity to the instructions contained in your Lordship's despatch of the 2nd instant (No. 95), respecting the transmission to England of such of the dollars of the South American states as may be in the treasury of Malta, of less than the proper weight, I have the honour to acquaint your Lordship that by the Peninsular and Oriental Steam Navigation Company's vessel, the "Oriental," which will leave Malta this day, I have caused to be shipped, consigned to the agent general in London, 50,000 of such dollars, in order that their value may be realized and returned to this island in British coin, or in pieces of silver money specially coined for circulation within these islands, as suggested in my despatch to your Lordship, dated the 24th instant, (No. 74.)

The aggregate weight of the 50,000 dollars above mentioned is only 42,177 oz. 15 dwts. troy, being 1,155 oz. 11 dwts. 16 grs. less than the regular weight.

I have, &c.

(signed) *P. Stuart.*

— No. 19. —

(No. 74.)

No. 19.
Governor Sir P. Stuart to Lord Stanley.
24 October 1844.

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 24 October 1844.

I AM induced to submit to your Lordship's notice and consideration, a certain inconvenience which of late years has attended monetary operations in these islands, and to suggest a remedy thereto, the application of which would not interfere with any general arrangements which Her Majesty's Government may deem it advisable to adopt, with relation to the currency of Malta.

The inconvenience to which I refer is the liability of the British silver to be withdrawn from circulation for the purpose of being returned to England, whenever the rate of exchange renders it more advantageous to do so than to make remittances in bills, a proceeding which has often deprived the inhabitants of the quantity of small silver necessary either to tender in payment of minor purchases, in the shops and markets, or to give in change for larger coins.

It is but a few months ago that the whole bulk of the British silver almost entirely disappeared from circulation, and the supplies which have since been thrown in, through the commissariat department, may be expected to follow as soon as the South American dollars, which are leaving the island very quickly, shall have been entirely sent away. At this period so great is the scarcity of British silver that persons pay from 1 to 1½ per cent. for it in Sicilian dollars, to enable them to pay the customs, duties, and government rents; and it will become still more scarce as remittances will be made in British silver by "Oriental," now returning home, as the commissary-general gave no bills on the 22nd, having more money in his chest than he required.

Your Lordship will readily perceive, that although large sums in British silver may be sent to the commissary-general and to the colonial treasury, it does not follow that it flows quickly into circulation; the commissariat and the colonial treasury can only pay in British silver what is due by each at the end of each month; and this sum either returns into the colonial treasury in the ensuing month, or is sent to England as a remittance by the merchants.

A large sum of British silver may remain consequently inactive in the military chest and colonial treasury, as far as circulation goes, as there is no other legal coin now here for which it can be taken in exchange.

It would be fallacious to expect that Mexican dollars can ever remain in circulation here at 4 *s.* 2 *d.*, and of a weight not under 17 dwts. 8 grains; so unequal is the mintage of that coin, that to make up 1,000 not under that weight, the weight of the whole will average 890 ounces, being 24 ounces above the legal average weight; and it is not to be presumed that even the British Treasury will make any further remittances to the military chest here at that heavy loss.

I had given my sanction that the commissary-general and the colonial treasury should receive Mexican dollars when not under 17 dwts. 5 grains; and at this weight it was found that every thousand dollars gave 872 ounces at least, being 6 ounces above the regular weight. But no Mexican dollars are now tendered even at 17 dwts. 5 grains, nor can it be expected that they will remain here at 4 *s.* 2 *d.* when at that weight, and indeed, without being weighed, all Mexican dollars are still current in the Ionian Islands at the rate of 4 *s.* 4 *d.*, and find an equal value in Greece. I had sanctioned this reduced weight of 17 dwts. 5 grains, in order to attempt to keep in the island a certain quantity of legal circulating coin, but it was not possible to effect the object. The deputy commissary-general has now acted under the late orders from the treasury not to receive Mexican dollars under 17 dwts. 8 grains; the alteration is nominal, as neither at the higher nor the lower weight will any such coin be tendered at 4 *s.* 2 *d.* I have not deemed it fitting to make any immediate alteration with regard to the colonial treasury, as I shall wish to leave open what encouragement was given, however nominal it may have proved, for the retention of Mexican dollars in Malta.

With the disappearance of both South American dollars and British silver, not only will the inhabitants be inconvenienced in their dealings among themselves, but the means of paying the government duties and rents in a legal coin will also have been removed, and the financial resources of the colony will thus become impaired.

To avert this evil without adopting any measure which might cramp or interfere with the general bearings of the system applicable to the local currency, it seems expedient that a portion of the British silver to be used in Malta should be of a description not to find currency in the mother country.

I would therefore submit to your Lordship's consideration the advantage that would attend a moderate portion of the British silver sent to this island being coined of values which are not at present legally current anywhere, but which should be legally established for Malta alone.

Two-shilling and four-shilling pieces would form convenient values; and of these, the sum of 30,000 *l.* would maintain a supplemental fund in circulation adequate to the monetary transactions between the inhabitants and the government offices. About 5,000 *l.* more in eightpenny pieces would probably be enough (added to the copper) for change and petty transactions, in case the shillings and sixpences should continue to be sent to England in remittances.

Your Lordship will observe that I do not propose a coinage of superior intrinsic value to the present legal British coinage, but merely a limited concurrent portion of other sizes that may be available for local purposes alone. As such a coinage, however, from its inadequate intrinsic value for conventional circulation elsewhere, would have no outlet, it will be very necessary that the supply of it should be limited to the exigencies of the inhabitants and civil services of these islands.

Should your Lordship approve of my recommendation that a special local silver coinage be made for Malta, I beg further to suggest that the 50,000 dollars (under the weight of 17 dwts. 8 grs.) now transmitted to the agent in England, be converted into such local coins, instead of the value being sent back in the regular British silver coins.

I have, &c.
(signed) *P. Stuart.*

— No. 20. —

No. 20. Governor Sir P. Stuart to Lord Stanley. 25 October 1844.

(No. 75.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 25 October 1844.

HEREWITH I have the honour to submit for your Lordship's consideration copies of a correspondence I have had with the Anglo-Maltese Bank and the Malta Bank of Malta, on the subject of legalizing the Sicilian dollars, since the receipt of your Lordship's despatch, No. 95, of the 2nd instant.

I have to state that the two banks are correct in their statement of the disappearance of the Mexican dollars, and that Sicilian dollars have been brought to supply their place. From the best information I can have, I am led to believe that

that there are above half a million of Sicilian dollars now in circulation here. This is a coin to which the people have been always accustomed as a legal tender, and notwithstanding that it ceased to be so on the 18th of July last, still it was and is readily (I may say by necessity) received by all classes at its previous value of 4*s.* 2*d.* or two scudi six taris.

The demand urged by the two banks that the Sicilian dollar should be legalized at the rate of 4*s.* 2*d.*, or two scudi six taris of Malta, is in accordance with the general feeling here, and has been strongly recommended to me by the Council of Government, and more particularly by the three unofficial members who must be supposed to understand the interests of the island, both as regards its commerce and the present wishes of the inhabitants.

I am quite aware that this measure will have the effect of rendering Sicilian dollars the general currency of the place; but what is to be done? They have already assumed that position, and to drive them out by an Act legalizing them only at their intrinsic worth, would bring about another convulsion in the monetary transactions of the island, for which I cannot say that the inhabitants are prepared. Much excitement was necessarily occasioned by the losses on the Mexican dollars, and this excitement has been lately re-awakened by quotations from the English papers criticising the measure, which have been translated into Italian, and widely disseminated here.

Your Lordship will perceive from my despatch of the 24th instant, No. 74, that it is quite vain to expect that the South American dollars can ever again come into general circulation here, at their present reduced value, with their required full weight, or that an adequate supply of British silver can be constantly kept up in this island when it so often becomes more advantageous to send it home than to make remittances in bills: it is also to be remembered, that the gradually extending commerce of Malta renders a demand for bills frequently greater than the wants of the military chest, consequently the merchant is driven to make his remittances in British silver.

Allusion is made in your Lordship's despatch, No. 95, of the 2d instant, to supplies of gold and silver; but I do not quite understand if your Lordship contemplated to introduce a solely gold currency here as in England; but if such was the case, the opinion of the Council of Government is, that it could not be retained in the island, as the sovereign passes current at its full value all over the neighbouring countries and in the Levant, and at this moment the sovereigns are sold here at an agio of 7*d.* on each, and have always borne an agio of about 4*d.* on each.

Mention is made in the letter from the Anglo-Maltese bank of an action now pending in the courts of law as to the legality of the Sicilian dollar. The case is this: A merchant offered Sicilian dollars in payment of a bill, which the holder refused as not being a legal tender, and the payer being of opinion that the Queen's Order in Council did not put the Sicilian dollar out of circulation as a legal tender, deposited the amount in the Commercial Court, before which court this case is coming on; but the Crown Advocate states to me that, in his opinion, the Queen's Order in Council did clearly put the Sicilian dollar out of circulation as a legal tender of payment.

In conclusion I have to state, that although I naturally hesitate to offer my individual opinion to your Lordship upon a question of this nature, yet, having given the subject my best consideration, I am led to recommend, in unison with the opinions of the Council of Government, that the Sicilian dollar be legalized at 4*s.* 2*d.*, or two scudi six taris of Malta, seeing no other remedy by which the island can be extricated from its present monetary embarrassments, so as to afford relief to its commercial and local interests.

I have, &c.
(signed) *P. Stuart.*

Enclosure 1, in No. 20.

Copy of a Letter from the Chief Secretary to Government to the Presidents of the Bank of Malta, and Anglo-Maltese Bank, dated Chief Secretary's Office, Valletta, 16 October 1844. Encl. 1, in No. 20.

Sir,

I am directed by his Excellency the Governor to acquaint you that he deferred returning an answer to your letter of the 25th ultimo until the arrival of the "Oriental," expecting

that he would by that conveyance receive some instructions from Her Majesty's Government on the subject of legalizing the tender of Sicilian dollars in these islands, he being precluded from proposing or assenting to any law whereby any foreign coin would become a legal tender, without specific permission of Her Majesty's Government previously obtained.

His Excellency has now received a despatch from Her Majesty's Principal Secretary of State for the Colonies, in which he is apprised that Her Majesty's Government would not object to such legalization of the Sicilian dollar at the intrinsic worth of the coins, provided that measure should be considered advisable and advantageous to the inhabitants, but that it will be necessary, in the first place, that he should furnish specimens of the coins for assay in England. It is therefore his Excellency's intention to forward the required specimens by tomorrow's mail, and to recommend that the Sicilian dollar should be declared a legal tender; and his Excellency being fully persuaded that the Sicilian dollar is a most useful and necessary coin to the commerce of this island in its transactions with Sicily, particularly as a return for produce imported from that island, he will not fail to bring this view of the subject to the notice of Her Majesty's Government.

I have, &c.

(signed) *H. Greig,*
Chief Secretary to Government.

Enclosure 2, in No. 20.

Sir, Anglo-Maltese Bank, Malta, 22 October 1844.

Encl. 2, in No. 20. THE Board of Direction of this Bank has the honour to acknowledge your letter of the 16th instant, in reply to one addressed by it to you on the subject of the Sicilian dollar. You inform it that his Excellency the Governor is precluded from proposing or assenting to any law whereby any foreign coin should become a legal tender, but that his Excellency is apprised in a despatch recently received from the Secretary of State for the Colonies, that Her Majesty's Government would not object to the legalization of that coin at its intrinsic value, provided the measure should be considered advantageous to the inhabitants, but that it would be necessary in the first place to have specimens of the coins assayed, and that you propose to transmit some for that object by the next packet.

Premising that the doubts which have prevailed since the publication of the proclamation of the 18th July, whether the Sicilian dollar be or be not a legal tender, at 2½ scudis of Malta and at 4*s.* 2*d.* sterling, may ere long be decided by the courts of law of this island, the President and Directors of this Bank deprecate any alteration in the value at which this coin has during the present century passed current in Malta. They beg it may be borne in mind that the unit of account and the measure of value in Malta is the scudi, that 2½ scudi are the current dollar, that the current dollar and the Sicilian dollar are for all practical purposes the same thing, and that whatever coins have from time to time been made current in this island, this measure of value has been applied to them. Further, that the proclamation of the 18th July last, confirms one of the 9th June 1825, by which the crown is rated at three scudi, and consequently that one scudo is one shilling and eight pence, making the current or Sicilian dollar, of which it is an aliquot part, four shillings and twopence.

The Directors conceive that these reasons, together with the fact that the present Sicilian dollar is one of the most perfect coins in Europe, and that it is the only coin now in Malta which really circulates without being subject to the agiotage of money changers, will suffice to induce Government to confirm its legality of tender.

I have, &c.

(signed) *Samuel Christian,*
President of the A. M. Bank.

To the Hon. Sir Hector Greig, K. C. M. G.
Chief Secretary to the Government, &c. &c. &c. Malta.

Enclosure 3, in No. 20.

Malta Bank, Valletta, Malta,
22 October 1844.

Sir,

Encl. 3, in No. 20. I HAVE the honour to acknowledge receipt of your letter of the 16th instant, in answer to one I addressed his Excellency the Governor, on the 25th ultimo, on the necessity of constituting the Sicilian dollar a legal tender at fifty pence, as a provisional remedy for the present insufferable state of our monetary system, in which answer you make known to me, that his Excellency, "being precluded from proposing or assenting to any law whereby any foreign coin would become a legal tender without specific permission of Her Majesty's Government previously obtained," he had deferred returning the answer now acknowledged until the arrival of the "Oriental"; and that his Excellency has received a

despatch

despatch from Her Majesty's Principal Secretary of State for the Colonies, in which he is apprised that Her Majesty's Government would not object to such legalization at the intrinsic worth of the coin, provided that measure should be considered advisable and advantageous to the inhabitants, but that it will be necessary, in the first place, that he should furnish specimens of the coins for assay in England;" which his Excellency was about doing, with a recommendation "that the Sicilian dollar should be declared a legal tender, his Excellency being fully persuaded that the Sicilian dollar is a most useful and necessary coin to the commerce of this island in its transactions with Sicily."

Having laid this letter before the Board of Directors, I am deputed to express its regret, that in a matter of such vital importance to all classes, and one in which even his Excellency admits his full persuasion, "that the Sicilian dollar *is* a most useful and necessary coin to the commerce of this island," he should unfortunately find himself precluded from adopting the temporary remedy suggested, without the highly prejudicial delay of one or more references to the Home Government, more especially so in the face of a strong impression which prevails, that the Sicilian dollar already is, and has from time immemorial, been a legal coin in these possessions, and during the present century, at the established rate of two and a half scudi, and stands, moreover, confirmed as such by positive enactments of the present Government, of which no revocation has taken place, and touching which point a question now pends in the Royal Court of Commerce of this island.

But as regards the contemplated alteration in the present value of the Sicilian dollar prior to its being declared (if not already so) a legal tender, the Board of Directors of this bank, and every reflecting being in these possessions, cannot but look upon such a measure, if carried into effect, as one which would bring about still more serious consequences than what the public in general, and commerce in particular, has recently suffered and is still suffering from the late mischievous enactment as regards the dollars of the South American States, which have already entirely disappeared from circulation, leaving, with the exception of a comparatively insignificant amount of British and Maltese coins, the Sicilian dollars and half-dollars as the sole circulating medium.

At the present moment, the Sicilian dollar, which is among the most perfect coins in Europe, is the only coin now freely circulating in these possessions without bearing premium or agio.

Mercantile accounts are kept in scudi, tari, and grains, the unit of account being the scudo of Malta, or 1*s.* 8*d.*, which is the aliquot part of two and a half scudi, or 4*s.* 2*d.* The scudo, as a measure of value (though having no reference either to its own intrinsic value or to that of the respective coins of which it is a measure), has been at all times applied to the current and Sicilian dollar (of two and a half scudi), which is the dollar of exchange between Malta and London; and even in the proclamation and order of Her Majesty in Council of the 4th March 1844, published in these possessions by his Excellency the Governor on the 18th of July last, is contained a confirmation of a former local proclamation of the 9th June 1825, wherein it is expressly enacted, that the British silver crown, or 5*s.* piece, shall pass current at three scudi.

Under all these circumstances, the Board of Direction of this establishment, reiterating what it has already brought under the notice of Government in the aforesaid letter of the 25th ultimo, confirms the prayer therein contained, that, as a provisional remedy to the growing evil, orders be issued by his Excellency the Governor, without delay, to the several government offices and departments, to receive and pay the Sicilian dollar as a legal coin of these possessions at 4*s.* 2*d.* or two and a half scudi, until such time as the prevailing doubts concerning the legality of this coin be finally decided, or some other system of currency be established likely to lead to less fatal results than the proposed Government scheme of legalizing the Sicilian dollar at its intrinsic worth, a measure which cannot be too strongly deprecated, for the reasons I have already pointed out, and the very many serious evils and ruinous consequences it must necessarily produce.

I have, &c.
(signed) *Biagio Tagliaferro*, President.

To the Honourable Sir Hector Greig, K.C. St. M. & St. G.,
Chief Secretary to Government, &c. &c. &c. Malta.

— No. 21. —

(No. 76.)

No. 21.
Governor Sir P. Stuart to Lord Stanley.
28 October 1844.

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 28 October 1844.

I HAVE the honour to transmit to your Lordship herewith enclosed, copy of a letter which has been received from the Board of Direction of the Malta Bank, dated the 26th instant, remonstrating against the answer which, in consequence of the decision of Her Majesty's Government, communicated to me in your

Lordship's despatch of the 2nd instant, No 95, I caused to be returned to their application for indemnification for the difference of value on the dollars existing in the bank on the 31st of July last, copy of which application accompanied my despatch to your Lordship, dated the 13th August, No. 54.

I am in the expectation of receiving a similar remonstrance from the Directors of the Anglo-Maltese Bank; and should it reach me in time for the mail by the Oriental, which closes to-morrow morning, I shall forward it also to your Lordship. In the meantime I beg leave to state, with reference to both banks, that the applications made by their respective Directors, although supported by documents to substantiate the number of dollars existing in each bank at the period when Her Majesty's proclamation reducing their current value took effect here, cannot, in my opinion, be entertained without, in some degree, admitting the justice of individual claims for a like indemnification on the dollars in their possession at the time; for, excepting that the individual holders of dollars may not have had the means, or taken the precaution of establishing the fact of the number of such dollars in their possession, they are, without doubt, otherwise, as fully entitled to indemnification as the banks.

I have, &c.

(signed) *P. Stuart.*

Enclosure in No. 21.

Encl. in No. 21. Sir, Malta Bank, Valetta, 26 October 1844.

I HAVE the honour to acknowledge the receipt of your letter of the 16th instant, acquainting me, for the information of the directors of this establishment, that, with reference to the claim by them preferred, under date of the 5th of August last, to indemnification for the difference of value on the Spanish and South American dollars existing in this bank on the 31st of July last, in consequence of Her Majesty's proclamation, published by the local government on the 18th of same month of July (reducing the value of these dollars from 4*s.* 4*d.* to 4*s.* 2*d.*), his Excellency the Governor has received a despatch from Her Majesty's Principal Secretary of State for the Department of the Colonies, signifying that "Her Majesty's Government see no ground whatever for the admission of the claim in question."

Having laid this unsatisfactory communication before the Board of Directors, I am deputed to make known to his Excellency, that such an unexpected answer to this just claim carries with it a positive invasion of the sacred right of property, by that very supreme authority which is bound by the constitution to uphold and maintain such right to its utmost, extending even to the implication of the honour, dignity, and good faith of the British Government, inasmuch as the dollars aforesaid were made current in these possessions at 4*s.* 4*d.* by Government proclamations, and, as regards the South American dollars, on the day after a Government minute, published as long ago as the 26th of May 1834, stating the results of experiments made by the officers of H. M. Mint, who declared them to be as valuable and of better weight and fineness than the Spanish pillared dollars, then forming the greater part of the currency of the island; to which is to be added the undeniable fact, that all governments are bound to call in coins or tokens at the price or value they may have put on them, before proceeding to reduce that value, which has ever been the practice in England,—a practice likewise acted upon at this island in 1806, and again, on the occasion, in 1827, of the calling in of the copper coins of the ancient government of the Knights of St. John.

Under this view of the case, added to the weighty motives which have been adduced in support of a similar view taken of it by the "Anglo-Maltese" Bank, and the population in general, in the several representations which have been made to his Excellency, the Board of Directors renews its claim, begging his Excellency will again bring the same under the notice of Her Majesty's Government, through the Secretary of State for the Colonial Department, who, it is hoped by the Directors, will see the injustice of making the loss fall upon the parties concerned in said establishment, and will give them a favourable decision, without putting them to the necessity of bringing the matter before the Imperial Parliament of Great Britain.

I have, &c.

(signed) *Biagio Tagliaferro*, President.

To the Hon. Sir Hector Greig, Knt. St. M. & St. Geo.
Chief Secretary to Government, &c. &c. &c.

— No. 22. —

(No. 104.)

COPY of a DESPATCH from Lord *Stanley* to Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G.

No. 22.
Lord Stanley to Governor Sir P. Stuart.
6 December 1844.

Sir, Downing-street, 6 December 1844.

I HAVE to acknowledge the receipt of your despatches of the numbers and dates enumerated in the margin* on the subject of the currency of Malta.

The Lords Commissioners of the Treasury having been apprized by the Agent-General for Malta of the consignment of light dollars referred to in your despatches Nos. 73 and 77, have given the requisite directions to the Master of the Mint and to the Agent-General in regard to the disposal of the silver, and for the issue from the Mint, and remittance without delay to Malta, of an amount of British silver coin equivalent to the value of it.

Her Majesty's Government has seen no reason to alter in any respect their opinion already signified to you regarding the claims which had been preferred on behalf of the Bank of Malta and the Anglo-Maltese Bank, which are again brought under my consideration in your despatch No. 76.

As regards the propositions submitted in your despatches Nos. 74 and 75, viz. that a special coinage should be authorized for the island of Malta, and that the currency of the Sicilian dollar at the rate of four shillings and two pence sterling should be legalized, I have to observe, 1st, That Her Majesty's Government do not consider that there is any such peculiarity in the position or monetary transactions of Malta, as should render it necessary or at all advisable to adopt any special and peculiar arrangement for a separate coinage for that island, and they moreover apprehend such a proceeding would by no means ensure the attainment of the contemplated object of retaining such coinage in the island. 2d. They are of opinion that the proposition for making the Sicilian dollar legally current at a rate above its intrinsic value, is equally liable to objection, and the adoption of it would be entirely at variance with the intention of Her Majesty's Order in Council, which has in view the assimilation of the standard of value at Malta to that of the United Kingdom, and of the other colonial possessions of the Crown; and that such a measure, although it would be very advantageous to the parties who have imported Sicilian dollars, would only restrict the ordinary circulation of the island to those coins, to the exclusion of all others.

The Lords Commissioners of the Treasury have directed steps to be taken for assaying and determining the real value of the Sicilian dollars forwarded with your despatch No. 73, and their Lordships have apprized me that they will submit for the approval of Her Majesty in Council a further proclamation giving currency to the Sicilian dollars at their intrinsic worth as compared with British sterling money, should you, upon further consideration, think that course advisable.

In the meantime, however, you will not be at liberty, in any respect, to sanction or countenance the introduction and circulation of those coins at any other rate, and if necessary, you must caution the public against considering them as a sufficient tender at the rate proposed by the local banks, or at any other rate than such as may be hereafter fixed by competent authority.

After the distrust occasioned by the practices which had led to the introduction and circulation of South American dollars of insufficient weight shall have subsided, Her Majesty's Government see no reason to doubt that those coins, in common with British coins and with the Sicilian dollars, if it shall be found necessary to give them legal currency, will circulate and furnish the inhabitants with a very sufficient and satisfactory circulating medium.

But you must bear in mind, that British coins, as well as other coins, may at times be in request for effecting commercial remittances, and that you are not to be induced by any apparent scarcity from that cause of British or any other coins, which will only be temporary, and in the absence of undue interference will be remedied in the ordinary course of trade, to countenance or permit any deviation from the provisions of Her Majesty's Proclamation and Orders in Council, which you would appear, in the instance of the applications relating to the Sicilian dollars, to have very properly considered it not to be at your discretion to interfere with.

I have, &c.
(signed) *Stanley*.

* 73, Oct. 23.
74 „ 24.
75 „ 25.
76 „ 28.
77 „ 29.

— No. 23. —

No. 23.
Governor Sir P. Stuart to Lord Stanley.
8 November 1844.

(No. 80.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 8 November 1844.

IN reference to my despatch No. 75, dated the 25th ult., relating to the Sicilian dollars, I have now the honour to acquaint your Lordship that the difficulties in the collection of the public revenues are daily increasing from the excess of that coin actually in general circulation, and it not being now a legal tender, it cannot be received by the collecting offices.

With regard to the rents of the Government farms in Gozo, which amount annually to about 4,000*l.*, I have been compelled to authorize the collector to receive Sicilian dollars in payment of the rents at 4*s.* 2*d.*, as there is no other coin in Gozo, and if we did not receive from the tenants the Sicilian dollars which they are compelled to receive for the produce of their farms, we should have run the risk of losing the entire amount of the rents by leaving the money in their hands. I had therefore no option but to authorize the collector to receive Sicilian dollars, and I have directed the cashier to Government to hold them in deposit, in the Treasury, until it is determined at what rate they are to be brought to account; any loss under the 4*s.* 2*d.* will fall as a reduction on the rental of the Gozo Government landed property for this year.

I apprehend, however, that I shall be soon compelled to adopt the same measure in Malta, where, however, the facilities of exchanging Sicilian dollars for British silver are greater than in Gozo, where there are no money changers, but still it is done here at a loss to the holder of the Sicilian dollars of from 1 to 2 per cent.; but this is paid by the parties who have payments to make to the revenue offices of Government, where Sicilian dollars are not now received.

In reference to my recommendation that the Sicilian dollar should be again legalized at 4*s.* 2*d.* or 30 taris of Malta, I beg to state, that should your Lordship be inclined to adopt this measure, that it will be sufficient for present purposes, and to meet the present difficulties, if your Lordship should authorize me to issue a notice stating that the Sicilian dollars would be received at the public collecting offices of this Government at 4*s.* 2*d.* or 30 taris of Malta, until further orders.

This mode was adopted in 1825, to bring the Sicilian dollars at that time into circulation, as the Order in Council of the 23d March 1825, published here on the 11th October following, had left them out.

I have, &c.

(signed) *P. Stuart.*

— No. 24. —

No. 24.
Governor Sir P. Stuart to Lord Stanley.
9 November 1844.

(No. 81.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

My Lord, Malta, 9 November 1844.

IN reference to my despatch, No. 77, dated the 29th ultimo, acquainting your Lordship that I had transmitted to the agent-general 50,000 Mexican dollars, underweight, for the purpose of being re-coined into British silver money, I have now the honour to acquaint your Lordship, that unless my recommendation to have a special silver coinage made for Malta, to a limited amount, is approved of, it would be desirable that the British silver currency sent out here should not be of smaller value than sixpences, as a considerable quantity of lower coins, such as 3*d.* and 1½*d.* silver pieces, have been sent here to the commissariat, more than sufficient for the wants of the island; and besides, the country people are much indisposed to receive these small coins, owing to their liability of being lost,

lost, and, in fact, unless the silver is not lower than sixpenny pieces, copper coins are most to the taste and habits of the people; and, if your Lordship thinks fit, I would beg that a communication may be made to the Lords of the Treasury, in order that no smaller silver coins than sixpenny pieces may in future be transmitted to the commissariat chest.

I have, &c.

(signed) *P. Stuart.*

— No. 25. —

(No. 105.)

No. 25.
Lord Stanley to Governor Sir P. Stuart.
7 December 1844.

COPY of a DESPATCH from Lord *Stanley* to Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G.

Sir, Downing-street, 7 December 1844.

I HAVE received your further despatches, Nos. 80 and 81, on the subject of the Currency of Malta. The Lords Commissioners of the Treasury had directed the remittance to that island of the proceeds of the light dollars transmitted to the agent-general to be made in crowns, half-crowns, and shillings, and not in any smaller coins.

In giving the provisional sanction reported in your despatch of 8th November, for the receipt by the collector at Gozo of the Sicilian dollars, you should have taken care to adopt the same relative proportions between the Sicilian and the Spanish and South American dollars, as those coins had borne to each other under the regulations in force previously to the issue of Her Majesty's Order in Council and proclamation; and, accordingly, as the last mentioned dollars are now rated at 4*s.* 2*d.* sterling, you ought not to have authorized the receipt of Sicilian dollars at any higher rate than 4*s.* sterling.

I have therefore to instruct you forthwith to amend the authority you had given to the collector at Gozo to the above effect; inasmuch as the recognition of any higher rate will effectually prevent any circulation either of British money, or of any other coins not similarly over-valued.

The assay of the Sicilian dollars furnished by you is in progress; and upon the completion of it Her Majesty's Government will have under consideration the expediency, with reference to any further communications that may be received from you, of legalizing the tender of these coins; but, in the meantime, you are strictly prohibited from giving any provisional or temporary sanction for their circulation at any rate exceeding that of 4*s.* before adverted to.

I have, &c.

(signed) *Stanley.*

— No. 26. —

(No. 120.)

No. 26.
Lord Stanley to Governor Sir P. Stuart.
18 February 1845.

COPY of a DESPATCH from Lord *Stanley* to Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G.

Sir, Downing-street, 18 February 1845.

WITH reference to my despatches, Nos. 104 and 105, of the 6th and 7th of December last, on the subject of the currency of Malta, I transmit to you herewith the copy of a statement which has been forwarded from Her Majesty's Mint to the Lords Commissioners of the Treasury of the weight, contents of pure silver, and value of the seven specimens of the Sicilian dollars at present in circulation in Malta and Gozo, forwarded in your despatch, No. 73, of the 23d October last. Her Majesty's Government would be prepared to submit, for the approval of Her Majesty in Council, the requisite authority for constituting the Sicilian dollar a legal tender in Malta and its dependencies at the rate of 4*s.* sterling, but they deem it advisable to defer directing any steps to be taken for that purpose until a reply shall have been received from you to the instructions conveyed to you in my despatches above referred to. In the meantime I have to desire that you

will take especial care that no other valuations of coins than those duly authorized by Her Majesty's Proclamation, which was transmitted to you in my despatch, No. 60, of the 20th April last, are in future recognised by any public department under your jurisdiction.

I am, &c.

(signed) *Stanley.*

STATEMENT showing the Assay Report, Weight, and Amount of PURE SILVER contained in SEVEN SICILIAN DOLLARS, transmitted to this Office to be tried, in the Treasury Letter of the 2d December last; together with the Value of each Dollar, computed at 5*s.* 5*d.* per Ounce of Pure Silver, or 5*s.* per Ounce of British Standard Silver.

Description of each Dollar.	Gross Weight of each Dollar.	Assay Report, Worse than British Standard.	Pure Silver in each Dollar.	Value of each Dollar, at 5*s.* 5*d.* per Ounce, Pure Silver, or 5*s.* per Ounce, British Standard Silver.
	dwt. grs.	*oz. dwt.*	*dwt. grs.*	*s. d.*
Ferdinand IV., 1805 - -	17 12½	1 1½	14 15·29	3 11·57
Ditto - - - 1816 - -	17 16½	1 1½	14 18·63	4 –·02
Ferdinand I. - 1818 - -	17 17	1 2	14 18·16	3 11·95
Francesco I. - 1825 - -	17 18	1 1½	14 19·88	4 –·19
Ditto - - - 1826 - -	17 17	1 2½	14 17·28	3 11·84
Ferdinand II., 1835 - -	17 17⅓	1 3½	14 15·92	3 11·65
Ditto - - - 1843 - -	17 17¾	1 3	14 17·01	3 11·83
	123 20¼		103 2·17	27 11·05
Average of the Seven Dollars -	17 16·60	1 2¼	14 17·45	3 11·86

Mint Office,
24 January 1845.

Jas. W. Morrison,
Deputy Master.

— No. 27. —

No. 27.
Governor Sir P. Stuart to Lord Stanley, 24 March 1845.

(No. 18.)

COPY of a DESPATCH from Governor Lieut.-general the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley.*

My Lord, Malta, 24 March 1845.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, No. 120, dated the 18th ultimo, transmitting copy of an Assay Report from Her Majesty's Mint of the seven specimens of Sicilian dollars, forwarded in my despatch, No. 73, of the 23d of October last, and stating, with reference to that Report, that Her Majesty's Government would be prepared to take the requisite measures for constituting the Sicilian dollar a legal tender in Malta and its dependencies, at the rate of 4*s.* sterling, should I think that course advisable.

In reply thereto, I have the honour to acquaint your Lordship that I immediately communicated the proposal contained in your Lordship's despatch, together with the result of the assay, to the two banks established here, viz. the Malta Bank and the Anglo-Maltese Bank, and I enclose herewith a copy of my communication to the respective banks, as well as of the letters which I received in reply; from these letters your Lordship will perceive that they deprecate, in the present state of the currency, the measure of legalizing the Sicilian dollar at any rate lower than 4*s.* 2*d.*, considering that it would be fraught with the most disastrous consequences to the commercial interests of the island.

In consequence of the communication made to the two banks, the directors of the respective banks and the principal merchants came to a resolution to continue to receive and pay reciprocally the Sicilian dollar at the rate of 4*s.* 2*d.* for the term of six months from the 4th of March, notwithstanding any law that may

be

be made to the contrary, and the resolution has been published with the signatures of the bank directors, of all the mercantile establishments of the island, and by almost every individual engaged in trade or commerce.

Under these circumstances, I do not consider that it would be advisable to adopt the measure of legalizing the Sicilian dollars at 4 *s.* each; on the other hand, I do not see how the currency of this island is to be brought into a healthy state. Spanish and South American dollars have totally disappeared from circulation; the Sicilian dollars have supplied their place, and are nearly the sole currency of the island, and although not a legal tender, they are received everywhere, except at the Government offices, at the rate of 4 *s.* 2 *d.* When individuals have payments to make of import custom duties, or of rents of Government property, or any other Government due, they must do so in the only legal money current, viz. British silver, and that being scarce, they are under the necessity of paying a premium for it of from one to two per cent., thus enhancing, to the extent of such premium, the amount of dues or rents payable to the Government; a circumstance which, until a remedy be applied, will continue to be a source of much complaint and dissatisfaction.

It may be right to observe that the Government have but very limited means of introducing British silver into circulation, and that a great portion of what is issued from the Government treasury and from the Commissariat chest is kept back from general circulation in order to be sent as remittances to England when the exchange with that country is unfavourable.

Situated as Malta is, with British silver as a legal tender to be received in payment to an unlimited extent, I confess that I do not see how the currency is to get out of the dilemma into which circumstances have plunged it. But in the meantime nothing can be more paralysing to trade, and to the internal transactions of the island, than having nearly the whole currency of the island consisting of a coin (the Sicilian dollar) that is not a legal tender, and consequently not receivable at the Custom House and other Government offices; the Spanish and South American dollars having totally disappeared from the moment their current value was reduced from 4 *s.* 4 *d.* to 4 *s.* 2 *d.*, and while from the inferior intrinsic value of British silver compared with its legal current rate, it is ill adapted to be the regulating currency of any country, as it is in vain to talk of gold being also a part of the currency so long as payments to any amount can be made in the greatly inferior silver coin.

I have &c.
(signed) *P. Stuart.*

Enclosure 1, in No. 27.

Encl. 1, in No. 27.

Chief Secretary's Office, Valletta,
3 March 1845.

Gentlemen,

I AM directed by his Excellency the Governor to acquaint you that he has received a despatch from Lord Stanley, Her Majesty's Principal Secretary of State for the Colonial Department, intimating that Her Majesty's Government will be prepared to take measures for constituting the Sicilian dollars a legal tender in these possessions, at the rate of 4 *s.* sterling each, with reference to an assay of these coins that has been made at Her Majesty's Mint, a copy of the report of which assay is herewith enclosed for your information.

In the meantime Her Majesty's Government has desired that his Excellency will take especial care that no other valuations of coins than those duly authorized by Her Majesty's Proclamation, published here on the 18th July 1844, are in future recognised by any public department under his jurisdiction.

I have, &c.
(signed) *H. Greig,*
Chief Secretary to Government.

To the President and Directors of the Malta Bank,
and of the Anglo-Maltese Bank.

Enclosure 2, in No. 27.

Encl. 2, in No. 27.

Sig^re^ Banco di Malta, La Valletta, a di 7 Marzo 1845.

I DIRETTORI del Banco di Malta, i quali altrevolte aveano incomodato Sua Eccellenza il Governatore con lettera dei 25 Settembre 1844, nella quale uniformandosi al voto del publico in generale, ed a quanto suggerivano i bisogni del commercio in particolare, facean

facean presente a S. E. quanto sarebbe vantaggioso il dichiarare moneta legale in queste possessioni il pezzo di Sicilia all' attuale suo corso di tari trenta di Malta; hanno avuto, ora, l'onore di ricevere la lettera da V. S. indirizzata loro sotto la data del di 3 del corrente mese.

In tale lettera V. S. li rende consapevoli di aver S. E. ricevuto dei Dispacij dal Principal Segretario di Stato pel Dipartimento Coloniale, nei quali S. Signoria s' esprime che il Governo di sua maestà sarebbe preparato onde prendere delle misure per costituire i pezzi di Sicilia in moneta legale in queste possessioni, alla rata di quattro scellini sterlini ciascuno, in referenza ad un assaggio di tali monete, del rapporto del quale V. S. transmette loro copia per loro informazione.

Se, da un canto, osservano con piacere i Direttori del Banco, e tutti i Membri del Corpo che rappresentano, dai termini in cui la lettera di V. S. è concepita, che non si è, sin ora, risoluto di adottare una tale misura, la quale, lungi dall' essere di sollievo al commercio, sarebbe sommamente disastrosa; cosicchè vi è campo di sperare che non verrà affatto adottata; dall' altra parte, la stessa communicazione fatta da V. S. ai Direttori, rendeva imminenti dei gravi mali pecuniarj in questo paese; mali che non si potea non studiare possibilimente ad evitare.

Pertanto hanno l'onore i Direttori di rendere, per mezzo di V. S. informata Sua Eccellenza, che tra di loro e del Banco "Anglo-Maltese," è stato convenuto di doversi tra loro e tutt' altre persone che avranno sotto scritto tale convenzione reciprocamente ricevere e dare in pagamento, nonostante qualunque nuovo regolamento legislativo, il pezzo del Regno delle Due Sicilie al valore suo attuale di quattro scellini e due soldi, ossiano tari trenta di nostra moneta, e ciò per un periodo di sei mesi dalla data di sifatta convenzione.

Nel rendere di ciò informato il Governo, i Direttori del Banco specialmente a vista del suddetto assaggio confrontato col valore intrinseco delle monete di argento Inglesi non possono non dolersi che il commercio di quest' Isola sia si spesso esposto a crisi calamitose in riguardo del principale mezzo di circolazione pecuniaria.

E detti Direttori hanno l'onore di sottoscriversi, &c.

(firmate) *Biagio Tagliaferro*, Presidente.

All' Onorabile
Sir Hector Greig, C. Sn M. e Sn G.,
Principale Segretario di Governo, &c. &c. &c.

(Translation.)

Sir, Malta Bank, Valetta, 7 March 1845.

The directors of the Malta Bank, who on a former occasion had troubled his Excellency the Governor, by letter of the 25th September 1844, in which, conforming themselves to the wishes of the public in general, and to what the wants of commerce in particular suggested, they represented to his Excellency how advantageous it would be to declare as a legal tender in these possessions the dollar of Sicily at its actual current value of thirty taris of Malta, have had now the honour to receive the letter which you addressed to them under date of the 3d instant.

In that letter you inform them that his Excellency had received despatches from the Principal Secretary of State for the Colonial Department, in which his Lordship intimates that Her Majesty's Government would be prepared to take measures for constituting the Sicilian dollars a legal tender in these possessions, at the rate of 4*s.* sterling each, in reference to an assay of these coins, of the report of which you transmitted to them a copy for their information.

If, on the one hand, the directors of the Bank, and all the members of the body whom they represent, observe with pleasure, from the terms in which your letter is conceived, that it has not yet been resolved to adopt such a measure, which, far from being of relief to commerce, would be highly disastrous, thus leaving room to hope that it will not be adopted at all; on the other hand, the very communication made by you to the directors threatened this country with such serious pecuniary evils, that it was impossible not to study how to avoid them.

The directors have therefore the honour to inform his Excellency, through your means, that between them and the Anglo-Maltese Bank, it has been agreed on their part, and on the part of every other person who may sign the agreement, reciprocally to receive, and to give in payment, notwithstanding any new legislative regulation, the dollars of the kingdom of the Two Sicilies at their actual value of 4*s.* 2*d.*, or 30 taris of our money; and that, for a period of six months from the date of such agreement.

In making this communication to the Government, the directors of the Bank, especially with reference to the above-mentioned assay compared with the intrinsic value of the British silver money, cannot but regret that the commerce of this island is so often exposed to such calamitous changes in regard to its principal pecuniary circulating medium.

The directors of the Bank have the honour to subscribe themselves, &c.

(signed) *Biagio Tagliaferro*, President.

To the Hon. Sir Hector Greig, K. C. M. G.
Chief Secretary to Government
&c. &c. &c.

Enclosure 3, in No. 27.

Encl. 3, in No. 27.

Sir, Anglo-Maltese Bank, Malta, 11 March 1845.

THE directors of the Anglo-Maltese Bank have had the honour to receive a letter from you, dated the 3d instant, in which you inform them that his Excellency the Governor has received a despatch from Lord Stanley, intimating that Her Majesty's Government will be prepared to take measures for constituting the Sicilian dollars a legal tender in these possessions, at the rate of 4*s.* sterling each, with reference to an assay of these coins that has been made at Her Majesty's Mint, a copy of the report of which assay you enclose for the information of the directors, and that in the meantime his Excellency is directed to recognise no other value of coins than those authorized by Her Majesty's proclamation on the 18th July 1844.

Your letter having been duly considered by the directors, I am requested to report that in their opinion your communication is ambiguous; that the expressions "Her Majesty's Government will be prepared to take measure for constituting the Sicilian dollar a legal tender at 4*s.*," leave them in doubt whether it be the intention of Her Majesty's Government so to do or not, and they pray that this doubt may be as soon as possible removed.

In reference to the assays, the directors were well aware that the value of the Sicilian dollars, as compared with the value of standard silver, measured by the gold currency of England, has long been and now is 4*s.* Nor could they (provided that those now in circulation were called in at 4*s.* 2*d.*, at which they have passed current for many years,) have anything to oppose to their being reissued at 4*s.*; for they entirely approve, and fully estimate the importance of adopting the sound principle of the currency of this island being based on the intrinsic worth of the coins in circulation; but they affirm, that it is neither just nor wise to admit of any exception. Unless, therefore, when the Sicilian dollar shall be declared a legal tender at 4*s.*, it be simultaneously enacted that British silver coins (now issued by the commissary and the local treasury at 10 per cent. beyond their intrinsic worth) shall no longer be a legal tender beyond 40*s.*, and that the old depreciated coinage of the Knights of St. John be called in, they must conclude that Her Majesty's Ministers have not given the subject the consideration it merits.

You are, doubtless, aware of the resolutions that the directors of the two banks and a large number of the mercantile body immediately took when the contents of your letter of the 3d instant were made known. It would be very easy to make this temporary measure permanent, and to extend its operation, by giving an analogous conventional value of 4*s.* 4*d.* to the Spanish pillar dollar. It will become, indeed, imperative on the part of the mercantile body to do so, in order to protect their interests, if the proposed enactment takes place without the restrictions mentioned above, for they cannot allow the valuable currency of the island to be swamped by one of inferior value, although it does bear the impress of Her Majesty.

I have, &c.

To the Hon. Sir Hector Greig, K.C.M.G.
Chief Secretary to Government,
&c. &c. &c.

(signed) *Sam. Christian*,
President of the Anglo-Maltese Bank.

— No. 28. —

(No. 137.)

No. 28.
Lord Stanley to Governor Sir P. Stuart.
23 May 1845.

COPY of a DESPATCH from Lord *Stanley* to Governor Lieutenant-general the Honourable Sir *P. Stuart*, G.C.M.G.

Sir, Downing-street, 23 May 1845.

HER Majesty's Government have had under their consideration your despatch, No. 18, of 24th of March last, relative to the proposal to constitute the Sicilian dollar a legal tender in Malta and its dependencies, at the rate of 4*s.* sterling.

The concluding remarks in your despatch respecting the inferior intrinsic value of British silver, and its unfitness to be the regulating currency of any country, as well as the representations in the letter enclosed from the Anglo-Maltese Bank, would appear to evince a misapprehension on the subject of the circulation of British silver coin, and other points connected with the arrangements adopted in regard to the island currency, which renders it necessary that you should be fully apprized of the principles upon which Her Majesty's Orders in Council and Proclamation of the 4th March 1844, as well as the other directions of Her Majesty's Government, have been issued.

It has been the object of Her Majesty's Government in these arrangements to provide both for the correction of the defective state of the local currency, arising from the circulation of dollars of deficient weight, and for a more effectual

assimilation of the standard of value at Malta to that of the United Kingdom, which may be considered as the legitimate standard for Her Majesty's colonial possessions.

As the want of ready access to supplies of British coin might occasionally give rise to inconvenience, from scarcity of metallic circulating medium, if foreign coins were excluded from legalized currency at Malta, such exclusion has not appeared to be advisable; but as the correction of any over-valuation of Spanish or South American dollars, or of any other foreign coins circulating in the island, would be a necessary preliminary to the attainment of either of the objects before adverted to, the rate at which Spanish and South American dollars shall constitute a legal tender under Her Majesty's Proclamation and Orders in Council of the 4th March 1844, has been adjusted with reference to the intrinsic value of the coins of proper weight, as compared with the British sovereign or pound sterling.

In the case of silver coins, this comparative value could only be properly determined by reference, first, to the contents of the coins in pure silver; and, secondly, to the marketable value of that silver in British sterling money. This value, as indicated by the transactions in the principal bullion markets of the world, for some years past, has been ascertained to be equivalent, as nearly as may be, to a money price of 5*s*. British sterling for the ounce of silver of British standard fineness; and it is according to this price that the rates at which foreign silver coins should circulate, and be a legal tender in the British colonies, are to be determined.

The silver coins of the United Kingdom being in effect tokens passing at nominal rates above their intrinsic value, no reference can be had in fixing the sterling rates for which foreign silver coins shall circulate to the quantity of silver they may contain as compared with that actually contained in the British coins.

The circumstances under which British silver coins and the silver coins of foreign states can be procured for circulation in the colonies are by no means analogous; and this want of analogy would appear not to have been adverted to either by yourself or by the directors of the Anglo-Maltese Bank. To the coinage and issue of foreign coins there is no limitation; and they may consequently at all times be purchased, without limitation as to quantity, at a price according closely with their intrinsic worth.

The British silver coins, on the contrary, are only to be procured to limited amount, by special orders for their preparation and issue at Her Majesty's Mint, and upon payment for them of their full nominal value; and they are not to be obtained from the Mint upon application of any party who may casually require them; and although these coins are, as above stated, strictly speaking, only tokens, and are a legal tender within the United Kingdom to a limited amount only, they are readily accepted in payment of sums much beyond that limit, and in all ordinary pecuniary transactions their nominal value is fully maintained.

In the colonies the value of these coins is further established and maintained by their being made receivable at their nominal rates in payment of all public duties under either imperial or colonial laws, and in exchange for all bills negotiated for the public service, and on all other public money transactions; and by their being also generally available for remittance, without limitation of amount, to the mother country or to other colonies.

In consideration of these circumstances, and of the ample security they afford for the realization at all times of the full nominal value of the coins, it has been found expedient that British silver coins, at their nominal value, should be a legalized tender in the colonies, without limitation; and as they are not in request, unless in peculiar cases, for purposes of foreign mercantile remittance, they are less liable than other coins to be withdrawn from local circulation, and have been found to constitute a very useful and effective local currency.

You will, no doubt, perceive that these views respecting the circulation of British silver coins at their nominal value are perfectly in accordance with the statements in your despatch respecting the premiums these coins bear as compared with the overvalued Sicilian dollar, and their being kept back from circulation to be used as remittance to this country. You will also perceive that the measures relating to the currency of Malta that have recently been adopted by Her Majesty's Government are entirely in accordance with the "sound principle of the currency of the island, being based on the intrinsic worth of the coin in circulation," in which the directors of the Anglo-Maltese Bank have very judiciously signified their concurrence; and that there is little reason either for assuming that

"the

"the inferior intrinsic value of British silver" is to regulate the currency of the colony, or that British gold may not circulate concurrently with it; or for any apprehension on the part of the mercantile body that the valuable currency of the island is to be "swamped by one of inferior value."

It will, at the same time, be obvious to you that no valuation of foreign coins, with reference to the intrinsic worth of British silver coins, either has or ought to be adopted; and that the valuation of the Sicilian dollar at 4*s.* 2*d.* sterling would be incompatible with the sound principles by which it is the intention of Her Majesty's Government that the currency of the island should be regulated.

Her Majesty's Government are not aware of any legal impediment to the banks or other parties voluntarily conforming to the resolution to receive and pay reciprocally the Sicilian dollar at the rate of 4*s.* 2*d.*, to which you have adverted, although the only object of such an agreement would seem to be to afford to the importers of the Sicilian dollars a profit of the difference between the price of 4*s.*, at which, according to the present course of exchange with the Neapolitan states, these dollars can be obtained, and the rate of 4*s.* 2*d.*, at which the importers would be enabled to pay them away.

But any more general adoption of this conventional valuation of the Sicilian dollar would tend to defeat the intentions of Her Majesty's Orders in Council and Proclamation, and by introducing an overvalued circulating medium, without any such security for the realization of the over value as attaches to the British silver coin, again to deteriorate the currency of the island. The inconvenience also to which you represent the inhabitants to be already exposed, from having nearly the whole currency of the island consisting of coin that is not a legal tender, and the loss to which they are subjected from being necessitated to pay a premium upon British or other legalized coins to discharge the Government dues, are the unavoidable results of this attempted circulation of the Sicilian dollar at 4*s.* 2*d.*, and the same loss would immediately be experienced in all foreign pecuniary transactions, and would soon be found to extend to most of those within the island; and on considering these circumstances, Her Majesty's Government deem it necessary that steps should be forthwith taken for legalizing the tender of these dollars at their proper value, notwithstanding your opinion that such legalization would not be advisable, while you admit that, "on the other hand, you do not see how the currency of the island is to be brought to a healthy state."

Her Majesty's Government have accordingly submitted for the approval of Her Majesty in Council the requisite proclamation for constituting the Sicilian dollar a legal tender within the island of Malta and its dependencies, at the rate of 4*s.* sterling; and in the meantime I have to desire that you will cause all classes of the island community to be made aware, as far as may be practicable, of the loss to which they will render themselves liable by accepting the Sicilian dollar at the proposed conventional rate of 4*s.* 2*d.*; and you will likewise take care that no tender of payment at that rate, or any other deviations from the provisions of Her Majesty's Order in Council and Proclamation, or any different valuation of the coins therein referred to, be in any manner recognised or countenanced either by the public departments in the island or by any of the local tribunals, unless resulting from special and legally authenticated contracts.

In order to guard for the future against any undue interference with the currency, which is too often suggested to and urged upon the officers in charge of colonial governments by self-interested parties, you must distinctly understand that you are henceforward not to consider yourself at liberty to sanction any deviation from the provisions of Her Majesty's Orders in Council and Proclamations respecting the currency, or from the instructions relating thereto with which you have been furnished, nor to take any steps with a view to the adoption of new measures that may from time to time be pressed upon you with reference to this subject, without previous specific authority from Her Majesty's Government.

In conclusion, I have to observe with reference to the suggestions of the president of the Anglo-Maltese Bank, respecting the old coinage of the Knights of St. John, that the whole of the copper coins of the order were called in in 1827, and that it has not appeared from the returns of the island treasury, or other documents that have come within the knowledge of Her Majesty's Government, that the amount of gold and silver coins of that description remaining in circulation is at all considerable; and I have therefore to authorize you, when the Sicilian dollar shall have become a legalized tender, to take measures for withdrawing the whole

of the coins of the order of St. John from circulation at as early a period as the state of the treasury may admit, by retaining such as may be paid into the public chests, and fixing a period, limited to a few days, for the exchange at their present value of such as may be held by individuals for coins legally current, with notice that after such period they will no longer be received by the public departments, or deemed to constitute a tender of payment.

I am, &c.

(signed) *Stanley.*

MALTA CURRENCY.

COPIES of the PROCLAMATION and CORRESPONDENCE, or EXTRACTS of CORRESPONDENCE on the subject of the MALTA CURRENCY.

(Dr. Bowring.)

Ordered, by The House of Commons, *to be Printed,*
28 *May* 1845.

[*Price* 6 *d.*]

326.

Under 8 *oz.*

MALTA CURRENCY.

FURTHER RETURN* to an ADDRESS of the Honourable The House of Commons, dated 18 March 1845;—*for*,

COPIES of the PROCLAMATION and CORRESPONDENCE on the Subject of the MALTA CURRENCY.

Colonial Office, Downing-street, 4 August 1845.

G. W. HOPE.

Ordered, by The House of Commons, *to be Printed*, 5 *August* 1845.

— No. 1. —

(No. 24.)

No. 1. Governor Sir P. Stuart to Lord Stanley. 18 April 1844.

EXTRACT of a DESPATCH from Governor Lieut.-General the Honourable Sir *P. Stuart*, G.C.M.G., to Lord *Stanley*.

Malta, 18 April 1844.

I HAVE the honour to forward copy of a letter received to-day from Mr. Samuel Christian (the senior partner of the firm of James Bell & Co.), who has already written three pamphlets on the currency of Malta, which had been transmitted at the time of their publication to the Colonial-office by my predecessor.

17 April 1844.

(Enclosure referred to in the preceding Despatch.)

Sir, Malta, 17 April 1844.

Encl. in No. 1.

HIS Excellency the Governor is doubtless informed that the Naval Commander-in-chief has published a general memorandum, under the date of the 13th of this month, informing the Navy that in future the Spanish and South American dollars shall be circulated and received in payment in Malta at 4*s.* 2*d.* each, instead of 4*s.* 4*d.* as heretofore, and that he has also issued a subsequent memorandum, under date of the 15th, stating that the measure is postponed.

From the tenor of the memorandum it appears probable that it is the intention of Her Majesty's Government to cause a similar regulation to be enacted at Malta.

As regards the Navy and the Army, or other persons, the remuneration of whose services has been stipulated in England, the measure appears to be very praiseworthy, as 4*s.* 2*d.* is much nearer to the intrinsic value of the South American dollar, in the sterling currency of Great Britain, than the value heretofore affixed of 4*s.* 4*d.*

But if this measure is to be extended to the inhabitants of Malta, and that nothing more is to be done to correct the evils of our currency, which have repeatedly been brought to the notice of Her Majesty's Government, it would appear that Her Majesty's Ministers have misunderstood our wants, and on consideration it will probably be obvious that the measure will have no other effect than to disturb the relations between debtor and creditor, and cause one man to pay and another to receive more than his due.

This will be manifest when it is recollected that accounts are kept, and all contracts and engagements made in Malta, in one or the other of two nominal currencies. By the Government and some individuals, in nominal sterling; and by the merchants and the great majority in the ancient currency of the island, in scudi, tari, and grains; but as nine-tenths or more of all payments are neither in sterling nor in scudi, but in dollars, at rates fixed by law in those two currencies respectively, it is obvious that to change the relative value of these dollars from that which has existed for several years is to alter all existing engagements.

Thus supposing the expected change to take place on the 1st of June next, a bill of exchange for 1,000 *l.* or 12,000 scudi falling due on the 2d of that month, would be payable in South American dollars 4,800, whereas had it fallen due on the 30th May, it would have been liquidated with South American dollars 4,615 1*s.* 8*d.*; nevertheless these dollars

* *Vide* Papers ordered by the House of Commons to be printed, 28 May 1845, No. 326.

lars will not have varied in their intrinsic value in three days; they will contain as many grains of pure or of standard silver on the 2d June as on the 31st May.

The revenues of the island are payable either in sterling or in Maltese currency. The duty on 1,000 quarters of wheat (at 10*s.* per quarter) will be payable on the 31st May in South American dollars 2,307 10*s.* 10*d.* and on the 2d June in South American dollars 2,400.

The population of this island pays to its Government about 8,700*l.* per month in import dues, land and house rents, &c. &c. In May the debt may be acquitted with 40,153 South American dollars 3*s.* 8*d.*, whilst 41,760 dollars will be required to acquit the same dues in June. An addition of 4 per cent. is thus made on all the duties now collected.

On the other hand, the officers of the island Government receive monthly about 3,500*l.* in salaries. In the month of May they will receive only 16,153 dollars 3*s.* 8*d.*, whereas in the month of June their pay will be 16,800 dollars.

If his Excellency the Governor should deem these observations well founded, it may be desirable that they should be transmitted to Her Majesty's Colonial Secretary. It is with this view that I beg you to bring them to his notice.

I have, &c.

Sir Hector Greig, &c. &c. &c. (signed) *Samuel Christian.*

— No. 2. —

(No. 64.)

COPY of a DESPATCH from Lord *Stanley* to Governor Lieut.-General the Honourable Sir *P. Stuart*, G.C.M.C.

No. 2.
Lord Stanley to Sir P. Stuart.
14 May 1844.

Sir, Downing-street, 14 May 1844.

I HAVE received your despatch No. 24, of the 18th ultimo, accompanied by the copy of a letter from Mr. S. Christian to the secretary to your Government, relating to the expected reduction in the current value of South American dollars in Malta.

Vide Papers ordered by the House of Commons to be printed, 28 May 1845, No. 326, page 6.

On this subject it is only necessary that I should refer you to my despatch No. 60, of the 20th ultimo, which, before this reaches you, will have put you in possession of Her Majesty's Orders in Council and proclamations respecting the state of the currency in the island.

I have, &c.
(signed) *Stanley.*

MALTA CURRENCY.

COPIES of CORRESPONDENCE on the subject of the MALTA CURRENCY.

(Dr. Bowring.)

Ordered, by The House of Commons, *to be Printed,*
5 *August* 1845.

622.

Under 1 oz.

MALTA.

RETURN to Addresses of the Honourable The House of Commons, dated 30 April, 5 and 7 May 1846;—*for*,

— 1.—

(30 *April.*)—"COPY of a PETITION of the Inhabitants of *Malta* to The Queen in Council, on the subject of their Grievances, and especially complaining of the Interference of the POLICE at the last CARNIVAL."

— 2.—

(7 *May.*)—"COPY or EXTRACTS of CORRESPONDENCE on the subject of the Grievances of the *Maltese*, received since the last Parliamentary Returns were ordered."

(*Dr. Bowring.*)

— 3.—

(5 *May.*)—"COPIES or EXTRACTS of the DESPATCHES of the GOVERNOR of MALTA, dated the 27th day of February last, and the 5th day of March, on the subject of the Events which took place on the Celebration of the CARNIVAL on that Island."

(*Mr. Hume.*)

Colonial Office, Downing-street, 21 May 1846.

LYTTELTON.

Ordered, by The House of Commons, *to be Printed*, 25 *May* 1846.

— No. 1. —

COPY of a PETITION from the Inhabitants of *Malta* to The Queen in Council

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To The Queen's most Excellent Majesty in Her Privy Council.

The Petition of the undersigned Natives and Inhabitants of the Island of Malta and its Dependencies,

Humbly showeth,

Petition of the Inhabitants of Malta to the Queen in Council.

THAT when the sovereignty of these possessions, subject to the rights and privileges granted to the people by their Sovereigns at various times, had, in consequence of the forfeiture incurred by the Order of St. John of Jerusalem, by ceding the same to the French Republic, reverted to the Crown of Naples, and had afterwards been again divested from that Crown by the Treaty of Amiens: when the stipulations in that treaty, in regard to Malta, had become incapable of execution, and the right of its inhabitants to self-government, enjoyed by them in the most remote times, had been recognized in the negotiations which thereupon took place for a new arrangement between the British Government and the French Republic: when the people of Malta, after having, under the guidance of a popular Council, and without foreign aid, obliged the French republican forces occupying Malta to shut themselves up in the fortresses of the island, and, after suffering all sorts of privations, in keeping them for two years blockaded by land until their final expulsion, effected by the joint efforts of themselves and the English as their allies, had, availing of their rights, one of which was, to be subject to the sovereignty of no foreign power without their own consent, spontaneously placed themselves under the British rule: when afterwards these possessions, by the Treaty of Paris, had been ceded to Great

Britain, and became annexed to the British realm, but above all, in view of the assurances given and promises made, as well during the blockade of Valetta as after the Treaties both of Amiens and of Paris, to the Maltese by Your Majesty's Royal predecessors, of glorious memory, that all their rights should be maintained, among which rights was also comprised that of having a popular representation: the people of these possessions were led to entertain a firm persuasion that, under the British rule, they would enjoy the same rights, privileges and franchises as are the inheritance and the birthright of the native British subject in his own country.

That this just and reasonable expectation of Your Majesty's loyal subjects, the people of Malta, has not only never been realized, but, on the contrary, the petitioners are driven to the painful necessity of having to represent to Your Majesty that for little less than half a century they have been subjected to a form of Government of the most absolute and irresponsible description—a form of Government in which, without a single political guarantee of the rights of the people, without even a shadow of free institutions, the arbitrary will of the Commander of the Military Force, always totally ignorant of the usages, customs, wants and necessities of the people, is made to be sole law of the land in regard to the life, liberty and property of every inhabitant of the island; while, under him, his subordinates accordingly, as they manage to get into favour, exercise a degree of power and influence equally destructive of every attribute of subjects living under the rule of a constitutional Sovereign. Under this form of Government the people have been, by successive governmental acts, deprived of every vestige left to them by the Order of St. John of their ancient institutions, while, at the same time, they have been uniformly kept from the means of educational advancement. Under this form of Government they have seen all classes of the people depressed, and all the national resources neglected. Under this form of Government they have seen the native church despoiled, a recent attempt at further despoiling it; excessive taxation, and levied on the articles of first necessity consumed by the people; a lavish and profligate expenditure of the public money; a system of favouritism and venality in Government offices and employments; and a fearful want of security for the life, liberty and property of the subject; while thousands of the labouring classes are driven by misery and hunger to abandon their native country, their families and kindred, and emigrate for bread to foreign climes.

That in vain have these inhabitants presented various humble Petitions praying for relief; in vain have commissions of inquiry issued thereupon; in vain have the beneficent and paternal intentions of Your Majesty's Royal predecessors, of glorious memory, been made known in regard to the people of Malta in authentic form and in most explicit terms: the local Government of the island has invariably found the means of counteracting every thing tending to reduce the powers it enjoys within the limits of what is constitutional, under the liberal rule of Your most gracious Majesty, of what the resources of the island permit, and what the exigencies and wants of the inhabitants require; nor has any thing resulted from those petitions and inquiries, except a few reforms of trifling import; and a Council of Government, not forming even the shadow of a free institution, being composed of the Governor himself and six other members, all chosen by him, of whom one is his military and three others his civil subordinate officers.

That while thus, on the one hand, all the efforts of Your Majesty's Maltese subjects to obtain redress of the numerous grievances under which they labour have proved abortive, a system of provocation in matters, as well religious as laical, is, on the other hand, persevered in towards them by the local authorities, apparently designed to deprive them of the high character they enjoy for fidelity, loyalty and attachment towards Your most gracious Majesty's Person and Throne, in which they cede to no portion of Your Majesty's subjects, by driving them to acts of resistance, of which they deprecate even the idea; for religious differences between Your Majesty's Roman Catholic and Protestant subjects are openly encouraged; personal liberty and private property are frequently most unjustly interfered with; and even the innocent amusements of the people, to which they have a right by immemorial usage and custom, are impeded; while the whole community is continually vexed and aggrieved by a

Court

Court of Police Magistrates, who pronounce decisions of the most unjust and arbitrary description.

That the most exemplary patience, long persevered in on the part of the people, far from conciliating in their favour the local rulers, has, on the contrary, been only a means of stimulating them to aggravated acts of oppression; and at no remoter period than the 22d day of the month of February just elapsed (22d February 1846), was an illegal act against a peaceable and long-suffering people supported, not by a recurrence to the tribunals, but by force of arms. On that day were the harmless amusements of the Carnival, enjoyed from time immemorial by the people of Malta, declared to be forbidden by a written notice emanating from the Executive Police, although invested with no legislative authority so as to have a right to take away so ancient a right from the people. On that day things were beheld never before witnessed under any Governor during 45 years of British rule in the island. On that day were preparations made for firing on the people, and orders given to charge them with the bayonet, without the employment previously of any civil force. On that day, after the military had been ordered to act without a cause, was an undisciplined and ill-directed police force, which long has visited these inhabitants with every species of vexation and oppression, let loose upon the people. On that day was the people beaten with staves, while numerous citizens of the most respectable classes were, without discrimination, arrested, beaten, incarcerated and kept in prison for 20 hours, and then only liberated, not a shadow of proof having been adduced against them; and yet the same court of magistrates which had liberated them as totally innocent, afterwards refused redress against those by whom they had thus been ill-treated and deprived of their liberty; so that it is now held that the people may be beaten and otherwise maltreated and incarcerated by the Executive Police, without a cause, with perfect impunity.

Wherefore Your Majesty's petitioners, though they grieve to have to submit to Your Majesty's most gracious consideration the facts aforegoing, are nevertheless forced so to do; and humbly to pray that Your Majesty will be graciously pleased to take their deplorable situation into consideration, and to grant them redress of their numerous and weighty grievances, and also to relieve them in the fullest manner Your Majesty may think fitting, against an administration which by its own acts has proved itself as adverse to the true interests of Your Majesty's Crown in these possessions as it also has to those of the people; and especially they humbly pray that Your Majesty will be graciously pleased to grant them a real and effective popular representation, as the only means of affording to them a stable and fixed form of Government, and an effective guarantee against the recurrence of similar disastrous events and grievances.

And Your Majesty's petitioners, as in duty bound, shall ever pray, &c.

(signed) *Gent. Dr. Arcangelo Pullicino,*
and 716 others.

—No. 2.—

COPY or EXTRACTS of CORRESPONDENCE on the subject of the Grievances of the *Maltese*, received since the last Parliamentary Returns were ordered.

(No. 26.)

COPY of a DESPATCH from Governor Sir *P. Stuart*, G. C. M. G., to the Right honourable *W. E. Gladstone*.

Sir, Malta, 18 April 1846.

I HAVE the honour to acquaint you, that I have read a paragraph in the "Mediterraneo" newspaper, of the 15th instant, stating that a Petition had been transmitted to Her Majesty in Council by the overland mail that left this on the 12th, in reference to the disturbance that took place here on the 22d February last.

Governor Sir P. Stuart to the Right hon. W. E. Gladstone, 18 April 1846.

As neither the original Petition, nor a copy of it, has been presented to me, I am unable to say any thing about its contents; and I have only to add, that I am informed that it has been signed by few persons of any standing or weight.

I have, &c.
(signed) *P. Stuart.*

Copy of a MEMORIAL from Dr. *F. Grungo* and others, to the Right honourable *W. E. Gladstone*, dated Malta, 23 April 1846.

Dr. F. Grungo and others, to the Right honourable W. E. Gladstone. 23 April 1846.

Sir,

The undersigned, the Committee of a large number of the natives of this island, acting solely for promoting the welfare of their country, have lately had the consolation of hearing that your Excellency had expressed an intention to take into your serious consideration the occurrences which took place at this island on the 22d of February last, and find themselves, therefore, now encouraged to address to your Excellency this their present memorial on the subject, particularly as relates to some facts in relation thereto; and with the hope that your Excellency, for the welfare of this island, will consequently afford to the natives of Malta in general your valuable assistance and protection, to the end that finally Her Majesty's dutiful and loyal Maltese subjects may obtain, and permanently enjoy, the benefits and political rights actually enjoyed by all other Her Majesty's subjects, hitherto by them respectfully, but vainly (although repeatedly) implored from Her Majesty's Government, notwithstanding the facts of solemn promises and engagements to that effect on the part of the British nation made to the Maltese, when they spontaneously, on account of their predilection for the British Government, vocated the British protection.

Your Excellency may have been, probably, already informed of the causes in which originated the event of the 22d February last; and which, consequently, is to us an unpleasant task to repeat, originating as it did from an insignificant motive, and which impressed on us a scandalous impression, the effects of which were highly irritating, and which, for many reflections, might have produced in this island the most disastrous results.

They further beg leave to submit to your Excellency, that from remote times it has been the usage of the Maltese to amuse themselves, and by masking, in the last three days of Carnival; viz. on the Sunday, Monday, and Tuesday previous to Lent, on which occasion his Excellency the Governor, against such inveterate custom, was pleased to interpose, and prohibited any masking, except on the Saturday, Monday and Tuesday, thus excluding said amusement on the Sunday of said week, which said order caused a great effervescence and vivid sensation amongst the population, considering such prohibition an unjust interference on the part of the Governor in the usual amusements of the people; and the undersigned beg leave to submit to your Excellency that such a measure was in direct violation of their ancient customs, and an undue interference on the part of the Government with the harmless and inveterate amusements of the people, and further caused a strong impression, as tending thereby to induce the Maltese to conform to the principles of the British Protestant church, without having considered that the dominant religion of the Maltese is that of the Roman Catholic, which tolerates such amusement and diversion on that day; and further submit, that the Governor of Malta must therefore have had similar motives for prohibiting masking on the Sunday, and inasmuch as it is certain that no consideration of his authority should have induced him to have resorted to such a measure, particularly as there was no instance of disorders committed on such occasions.

That it has come to the knowledge of the undersigned that the Governor was informed of the malcontents generally caused in the population in consequence of his said order, but that he would not, nevertheless, retract therefrom.

That on the said Sunday afternoon there were as usual assembled in the streets of the city a numerous population, perambulating with hilarity and joy, occasionally appearing caricatures, but none were seen masked. That the police then appeared to countenance said amusement, without any interference, and subsequently retired; from which circumstance the people were induced to believe that the Governor had at last taken a resolution not to persist in the execution of his said order.

That subsequently the police force again appeared, when an event occurred which caused universal disapprobation; that is to say, a man of low condition threw an object which slightly wounded in the head the inspector of police; subsequently another affray took place, where a great number of people had assembled in the public square at the time the bagpipes of the 42d regiment were there assembled, as usual, to sound the military retreat, when, either by accident or design, one of the people assembled began pushing and assaulting the pipemen, which caused a little confusion, but order was immediately restored by the people then at hand.

That the aforegoing were the only disorders which took place during the whole of that day, when the streets were crowded with people, notwithstanding they were naturally irritated with the conduct of the Governor, and which, notwithstanding, did not require any extraordinary measures to repress, by directing the whole of the police force against the whole of the population in general, instead of directing themselves against the above-mentioned

tioned two or three individuals, disturbers of the public peace, whose conduct was totally disapproved by the entire multitude.

That unfortunately, however, the Governor was not of that opinion, who, nevertheless, without any previous warning to the public, issued orders to the military officers on the main-guard before the palace, to clear the square of the number of people who were then quietly perambulating the place.

That in pursuance of such orders, the officer on guard attempted so to do, but it was then evident that such orders could not be executed by the small number of troops on guard against a numerous population.

That on hearing such orders had been given, the populace showed much irritation, finding the military had been called to charge, but then interposing Lieut.-col. Balneavis, the town adjutant, an officer well known and of long residence at Malta, and much esteemed, he induced the guard to retire, when the people became more tranquil, shouting out "Viva Balneavis!" and night coming on, the populace gradually began to retire to their respective homes.

That the above, however, is not all; in fact, when it was considered that the day had terminated, and there remaining at the time but a small number of people on the parade square, two companies of the 42d and 88th regiments, assisted by a reinforcement of the Malta fencibles, arrived under arms and formed in line on the square, which being done, a strong detachment of constables and sergeants of police, armed with their heavy staves, suddenly were let loose on the people then remaining on the said square, who beat, dragged, lacerated and otherwise brutally ill-treated all those harmless individuals who came within their grasp, dragging them to the prison of the military main-guard; and in such manner 37 peaceable subjects, and amongst them some of the best classes in society, were arrested as malefactors, and subsequently conducted from the main-guard to the police prison, surrounded by the police, and under escort of the military, with their arms fixed.

That the said inoffensive persons were the next day brought before a police magistrate, and when 35 of the said number so arrested were immediately liberated, because no regular accusation could be made against them, not having committed any crime; other two individuals were condemned in a fine of 8*s*. 4 *d*. each for having resisted the police; and another individual was condemned to 15 days' imprisonment for a fact which previously had occurred.

Therefore, the undersigned, in submitting the above narrative to the serious consideration of your Excellency, they find it useless to further encroach on your Excellency's valuable time and higher occupations, but will content themselves on the present occasion to submit.

That the interference on the part of the Governor of Malta in the innocent amusements of the people, without such interference being required by just and lawful motives, and the violation of an inveterate usage of the Maltese people, has evidently a tendency to introduce the principles of a religion different from that professed by the Maltese, and an unjust interference on the part of the Governor to drive away the people peaceably assembled, walking in a public square, and that by means of military armed men; and thereby abusing the military character, in ill-treating a quiet and inoffensive population, inasmuch as no extraordinary case occurred in which such military intervention was required; and that the employment of the armed police, by falling indiscriminately and assaulting and ill-treating inoffensive people, is an abuse and excess of lawful authority; and also that of an unjust imprisonment and detention of the above inoffensive citizens during the whole of the said night and the greater part of the following day, besides the blows and ill-treatment they received from the police while unjustly detained under arrest.

That your Excellency will also be pleased to consider that the above excesses committed on the part of the authorities of Malta can only be accounted for by the passive and quiet nature of the people; inasmuch as otherwise grave consequences would have resulted therefrom, with the most disastrous effects to the whole island.

That the undersigned, also availing themselves of the present occasion, most respectfully beg to submit to your Excellency's consideration, and of Her Majesty's Government at London, the notoriously sad condition of the local Government of Malta, which merits and calls for serious attention; but the object of the present not being intended to state in detail any part of the said actual sad condition of this Government, they most respectfully abstain at present from so doing, inasmuch as your Excellency yourself may be conversant and informed of the heavy grievances under which the population are actually suffering, and which have been repeatedly set forth, not only to the throne of our Excellent Majesty, but also to the Imperial Parliament, and principally for concession to the Maltese of a just voice and control for the administration of the whole local civil affairs of these islands, analogous and adapted to the wants and to the limited resources of the same.

And, lastly, the undersigned, acting as aforesaid, consider that they have sufficiently shown the unhappy condition of the natives of Malta from the aforegoing narration; that they remain completely at the disposition of the Government of Malta, without possessing any positive counsel or control against the same, because no body has been allowed to exist which could of right in anywise guide or represent the interests of the community; moreover, in manifest contradiction to the beneficent spirit which at all times influenced the British nation, and to all which the undersigned, as well on the part and behalf of themselves as their constituents, hereby most respectfully and expressly calls your Excellency's attention, in order that the repeated prayers and supplications already made by them may at last, and, in reality, be conceded

conceded in favour of the Maltese faithful and affectionate subjects, and receive and enjoy equal rights with all others of Her Majesty's subjects.

And for which they, your Memorialists, will, as in duty bound, for your Excellency ever pray, &c.

(signed) Dr. Francesco Grungo. Dr. Giuseppe Cachia Castagna.
G. Montebello Pulis. Dr. Pietro Paulo Buonavia.
Dr. Nicolo Zammit. Sacerdote Salvadore Seluchi.
Dr. Antonio Zammit. Dr. Raffaele Bonnici.
Dr. Celestino Camilleri.

Malta, 23 April 1846.

Copy of a DESPATCH from the Right hon. *W. E. Gladstone* to Governor Sir *P. Stuart*, G.C.M.G.

Sir, Downing-street, 20 May 1846.

The Right hon. W. E. Gladstone to Governor Sir P. Stuart, 20 May 1846.

I HAVE received from Dr. Francesco Grungo and others, a memorial, dated the 23d of April, bringing under my consideration the occurrences which took place at Malta on the 22d of February last, on the occasion of the Carnival.

This communication having been sent to me from the colony by the writers, and not having been transmitted through you, I have to desire that you would apply to the writers for a copy of it, and that you would forward that copy to me, accompanied by such a report as the case may appear to you to require.

I have, &c.
(signed) *W. E. Gladstone.*

— No. 3. —

COPIES or EXTRACTS of the DESPATCHES of the GOVERNOR of MALTA, on the subject of the Events which took place on the Celebration of the CARNIVAL on that Island.

(Separate.)

Governor Sir P. Stuart to the Right hon. W. E. Gladstone, 27 February 1846.

EXTRACT of a DESPATCH from Governor Sir *P. Stuart*, G.C. M. G., to the Right honourable *W. E. Gladstone*, dated Malta, 27 February 1846.

As you will probably see in the newspapers, or hear from other quarters, some account of a disturbance which took place here on Sunday last the 22d instant, I take advantage of Her Majesty's mail by Marseilles, to make you acquainted with the real circumstances of the case, which have been much misrepresented and exaggerated.

I must first mention that the permission for holding the Carnival is always granted, under certain rules and regulations, by the Governor through the head of the police, as the existing laws prohibit masking or masquerading in the public streets at any time.

The license to hold the Carnival has hitherto been granted for Saturday, Sunday, Monday and Tuesday preceding Ash Wednesday; having understood, however, that the withholding license to mask in the public streets on Sunday (thereby restricting the permission for the Carnival to the Saturday, Monday and Tuesday) would be a measure most acceptable both to the Roman Catholic and Protestant Churches, and to all the respectable portion of the community, Roman Catholic as well as Protestant, and being informed that the Carnival is not permitted at Rome on Sundays, I directed the head of the police to issue on the 14th instant the usual notice for holding it, but restricting it to the Saturday, Monday and Tuesday preceding Ash Wednesday; viz. the 21st, 23d and 24th instant. After the notice was issued I had no reason to believe, from the reports made to me by the head of the police, that the measure was obnoxious either to the lower or higher classes of the community in town or country, with the exception of some idle and profligate young men about this town; nor were any petitions or representations to include the Sunday made to me by any parties or from any quarter. Almost all the editors, however, of the Malta Press attacked the measure, asserting that doing away with the Carnival on Sunday was a despotic and illegal act on the part of the Government, and declaring it to be an act of Protestant oppression, and an interference with the Catholic Religion. These misrepresentations, aided

aided by some idle discontented young men in this city, had the effect of causing a considerable crowd to assemble on Sunday in Valletta, who endeavoured to insult the Government, not by masking, but by dressing up some of their numbers as Protestant clergymen, and parading them with loud shouts, and yelling about the streets, around the palace, and near the Protestant Church during divine service.

I was determined to refrain from taking notice of this, as well as of other insulting acts, trusting that the whole would go off quietly; and with a view to this, I had previously ordered the police not to appear in the streets in greater numbers than usual, but to remain at their stations unless required, and not to interfere with any one who was not committing a breach of the peace. About sunset, however, after the drums of the 42d regiment had beat the retreat, the mob collected about them, and, rushing on without the slightest provocation, assaulted them, and broke one of their drums and one of their pipes, following them as they retired towards their barracks with yells and screams. Seeing this assault take place myself, under the window of the palace where I was standing, and as daylight was fast closing, I judged it was full time to put a stop to these proceedings. I therefore ordered the police to assemble and disperse those who in considerable numbers were still yelling and cheering opposite the main guard and in front of the palace; and I also ordered two companies of the 42d regiment to be ready to support the police in case they should be required; this, however, was not found to be necessary, as the police dispersed them without difficulty, having arrested about 28 of those who were among the crowd, and who had refused to retire when ordered to do so. I may mention that the police, about 50 in number, had neither arms, batons nor any other weapons in their hands, and that I have not heard of any person in the crowd having been injured.

When brought before the magistrates next morning, one of the rioters was sentenced to fifteen days' imprisonment, and two others were fined two dollars each, and in default of payment, to six days' imprisonment. The other persons arrested were discharged.

I trust it is scarcely necessary for me to deny (though I do so in the strongest manner) the assertion made in one of the newspapers, the "Mediterraneo," of the 25th instant, that I had ordered two guns, which are always stationed at the gate of the palace, to be got ready to fire on the people.

The Carnival was carried on during the two following days, Monday and Tuesday, with the greatest good humour, and without the slightest appearance of discontent.

In all this business I believe the inhabitants of the island generally were indifferent and unconcerned; and, but for the excitement of a few violent and ill-disposed persons in Valletta, I do not believe any disturbance would have happened; and I cannot forbear giving my testimony to the general good conduct, quiet deportment and satisfactory feeling of the inhabitants at large towards the Government.

EXTRACT of a DESPATCH from Governor Sir *P. Stuart*, G.C.M.G., to the Right honourable *W. E. Gladstone*, dated Malta, 5 March 1846.

Governor Sir P. Stuart to the Right hon. W. E. Gladstone, 5 March 1846.

I THINK it my duty to mention to you, that since I had the honour of addressing you on the 27th ultimo, every thing continues perfectly quiet here; and though the public Press tries to raise an excitement by misrepresentations as to what occurred on the 22d February last, I am happy to say that neither in Valletta nor in the country do the people participate in it.

MALTA.

COPY of a PETITION of the Inhabitants of *Malta* to The Queen in Council, on the subject of their Grievances, and especially complaining of the Interference of the POLICE at the last CARNIVAL.

COPY or EXTRACTS of CORRESPONDENCE on the subject of the Grievances of the *Maltese*, received since the last Parliamentary Returns were ordered.

(*Dr. Bowring.*)

COPIES or EXTRACTS of the DESPATCHES of the GOVERNOR of MALTA, dated the 27th day of February last, and the 5th day of March, on the subject of the Events which took place on the Celebration of the Carnival on that Island.

(*Mr. Hume.*)

Ordered, by The House of Commons, *to be Printed,*
25 *May* 1846.

343.

Under 1 *oz.*

MALTA.

FURTHER RETURN to an Address of the Honourable The House of Commons, dated 5 May 1846;—*for*,

"COPIES or EXTRACTS of the DESPATCHES of the GOVERNOR of MALTA, dated the 27th day of February last, and the 5th day of March, on the subject of the Events which took place on the Celebration of the CARNIVAL on that Island."—(*In continuation of the Paper No.* 343, *of the present Session.*)

(*Mr. Hume.*)

Colonial Office, Downing-street, 23 July 1846.

(signed) B. HAWES.

Ordered, by The House of Commons, *to be Printed,* 23 *July* 1846.

— No. 1. —

(No. 29.)

COPY of a DESPATCH from Governor the Honourable Sir *P. Stuart*, G.C.M.G., to the Right Honourable *W. E. Gladstone.*

No. 1. Governor Sir P. Stuart, to the Right Hon. W. E. Gladstone, 4 May 1846.

Sir, Malta, 4 May 1846.

I HAVE the honour to enclose a petition which was sent to me on the 27th of last month for the purpose of being forwarded to you by the packet of the 28th, but as there was not sufficient time for me to draw up a report on its contents, it was not in my power to transmit it by that mail.

The petition refers to the disturbances which took place in Valletta on Sunday the 22d of February last, on which I reported fully in my despatch to you of the 27th of that month, marked "Separate." It is signed by nine of the 27 individuals who were arrested by the police on the evening of the 22d February, in the square in front of the Government Palace, for refusing to disperse when ordered so to do; and by another individual, William Zammit, who was arrested four hours afterwards in another part of the town, for an assault on a policeman who was on duty, for which offence he was tried by the magistrates of Judicial Police, and sentenced to imprisonment for five days.

The petitioners having been brought before the Court of Judicial Police on the 23d of February, with the other individuals arrested on the evening of the 22d, were liberated by the magistrates, with the exception of Mr. Zammit, as stated above, and of Mr. Metrovich, who was fined two dollars.

Subsequently, on the 27th of February, citations were taken out by three of the petitioners, Messrs. Falzon, Zarb and Goodenough, against seven individuals of the executive police, for ill-treatment in the act of arresting them; the magistrates heard the respective complaints of Messrs. Falzon and Zarb, and finding that they were not proved, dismissed both cases, on which Mr. Goodenough, who is editor of the "Malta Mail" newspaper, stated that he did not wish to proceed with his accusation against the parties he had cited, as it was of the same description as those which the magistrates had heard and dismissed.

The complaint of the petitioners, therefore, of having been illegally arrested and ill-treated by the police, has been already tried and decided by the competent tribunal.

I have now to notice two false statements made by the petitioners relative to myself.

The first is, that I had sent for the magistrates, who had liberated the greater number of the persons arrested on the evening of the 22d of February, and found fault with them for so doing. Nothing can be more untrue than this statement, as I neither sent for nor saw the magistrates, nor have had directly or indirectly then or since, any sort of communication with them on the subject. The other, namely, that a magistrate had been changed with the view of procuring the liberation of the police, against whom Messrs. Falzon and Zarb had brought complaints, is equally untrue; no interference, directly or indirectly, took place on the occasion, and it is invariably left solely to the magistrates themselves to arrange their respective turns of sitting in court.

These statements show the little regard to veracity with which so serious a charge as that of interfering with the judicial authorities can be advanced against the Executive Government; and having made this false accusation, they have no difficulty in asserting, that this undue interference is one of the principal causes why the public has no confidence in the administration of justice in this island.

I have only to add, that no instance has ever occurred in my time of the Executive Government interfering with the judicial authorities, and I am not aware, nor do I believe, that any such interference ever took place in the time of any of my predecessors.

I have, &c.
(signed) *P. Stuart.*

Enclosure in No. 1.

To the Right Honourable *William Ewart Gladstone*, Her Majesty's Principal Secretary of State for the Department of the Colonies, &c. &c. &c.

The MEMORIAL of the undersigned Natives and Inhabitants of the Island of Malta.

Humbly showeth,

Encl. in No. 1.

THAT your memorialists, on the 22d day of February last, that day being the first day of the carnival, observed in Malta from time immemorial, they being in the public square before the palace in Valletta, commonly called the Square of St. George, where they, in common with all others Her Majesty's subjects and inhabitants in the place had a right to be, by reason of its being an open and public place (and more especially on the evenings of the three days of carnival, on which, by immemorial custom, large assemblages of the people are used to congregate), were, without a cause, by the executive police assaulted, set upon and dangerously beaten, their clothes torn, and they themselves arrested and conveyed to prison, and kept, deprived of their liberty for more than 20 hours, contrary to the protection which Her Majesty's Government owes to the life, liberty and property of all persons generally, and to Her Majesty's subjects in particular, resident in this island.

That the illegality of the assault made upon your memorialists, and of the violence, ill-usage and incarceration to which they were subjected, was rendered clear, evident and undeniable, by the sentence of two magistrates of Judicial Police, before whom your memorialists were brought after the expiration of the prolonged period above mentioned, during which, the executive police had every facility of preparing for the hearing before the magistrates, while your memorialists were most rigorously prevented from seeing or communicating with any one. For by that sentence, after the most evident and flagrant false swearing by the police force, in the depositions of members, of which alone consisted the whole of the evidence adduced against them, your memorialists were, all of them, liberated as perfectly innocent; nor of the whole of the parties arrested, were any, except two, condemned at all by the magistrates, and those to trifling penalties; nor did the magistrates retract from what they had decided, when subsequently, by one of those undue interferences with the judicial power which is one of the principal causes why the administration of justice in Malta enjoys not any confidence on the part of the people, they were called to the palace, to give an account of their conduct in passing that sentence.

That it ever having been the vaunt of the British Government, as well as an engagement entered into by that Government with the people of Malta, that every one living under its rule shall experience from the executive full protection of life, liberty and property, as well from the executive as from the executive powers; and that the judicial power shall not be interfered with by the executive, your memorialists cannot too strongly complain of their lives, liberty and property having been placed in jeopardy or invaded by the very power bound to protect them, as well as of the aforesaid interference with the judicial authority, which, a day or two afterwards, when rid by a change of one of the magistrates, produced the liberation of the same executive officers, of police (when called before those magistrates by Vincenzo Falzon, one of your petitioners), who had been previously declared to have laid hands on your memorialists, and carried them to gaol without a cause.

Wherefore, your memorialists, having no other means of obtaining redress against the power of Government unjustly exerted against them, are forced to recur to you, and humbly to pray that Her Majesty's Government will be pleased to order full satisfaction to be made them,

them, for the injuries they have suffered, against those by whom they were inflicted; and also, that they may be indemnified for the losses, injuries and privation of liberty to which they were subjected.

And your memorialists, as in duty bound will ever pray,

Dr Caludonio Grungo.
Edmd Goodenough.
Bno Augusto Testaferrata Abela.
Wm Zammit.
P. Mitrovich.
Vzo Falzon.
F. Caruano.
V. Fabri.
Gaetano Zarb.
Filippo Balbi.

—No. 2.—

(No. 24.)

COPY of a DESPATCH from the Right Honourable *W. E. Gladstone* to Governor the Honourable Sir *P. Stuart*, G.C.M.G.

Sir, Downing-street, 15 June 1846.

No. 2. The Right Hon. W. E. Gladstone to Governor Sir P. Stuart, 15 June 1846.

I HAVE to acknowledge the receipt of your despatch, No. 29, of May 4th, transmitting and commenting upon the petition of certain natives and inhabitants of Malta, in which they pray for satisfaction and indemnification in respect of injuries which they represent themselves to have suffered at the hands of the officers of the Executive Government, or through its intervention, in the late judicial proceedings concerning them.

I proceed both to comment upon the statements contained in the petition, and to convey to you the general view which Her Majesty's Government, from the information at their immediate command, are disposed to take of your conduct on the occasion of the carnival.

With respect to the assertions of the parties, that they were arrested illegally and with violence, I apprehend, it appears, that their complaints to that effect have been preferred before the proper tribunal, and have been dismissed. I must therefore, without hesitation, conclude that those complaints are devoid of just foundation.

But the petitioners further allege; first, that they were prevented from holding communication with any one on their own behalf, before the hearing of the case against them; secondly, that there was evident and flagrant false swearing on the part of the police; thirdly, that the magistrates, who liberated certain of the parties arrested forthwith, were summoned to the palace to be called to account by you for their conduct; and, lastly, they appear, though in ambiguous language, to impute to you the substitution of one magistrate for another upon the bench, with the effect, if not the intention, of producing the liberation of the officers of police; that is, as I construe the language, the conclusion, that they were innocent of the charge of any violent or illegal conduct in the matter of the arrest, and their consequent release from temporary custody.

As regards the first of these allegations, the petitioners do not allege that they suffered any wrong in consequence of the prevention of communication with other parties, and it is therefore needless for me to pursue it.

With regard to the second, their allegation of false swearing is entirely unsustained by particulars, or by any reference to corroborative evidence, and I must observe, that if such particulars and such evidence were forthcoming, the proper place for their consideration would be in a court of justice, where the parties imprisoned or fined in consequence of this alleged perjury, might have their remedy: although it might be a fit subject of subsequent consideration for the Executive Government, in any case where such a charge was brought home to one of its officers, how far it was possible to continue to repose in him the confidence which his position as a public servant would imply.

With respect to the third charge, it rests upon simple assertion, without any appeal to testimony; and this assertion is directly contradicted by yourself. You must have immediate knowledge on the subject, and the petitioners can have none; I must therefore dismiss it, under these circumstances, as an unsustained complaint.

With respect to the last allegation of the petition, you have replied to it, that the order of the sittings of the several magistrates is governed on all occasions by the arrangements which they may make among themselves. There is no denial

by the petitioners that this is the general practice, nor is there any evidence indeed there is only an obscure and equivocal allegation, of interference with that practice. No ground therefore is laid by the petition which would justify my pronouncing any censure on your conduct in this respect.

You will communicate to Dr. Grungo, on behalf of the parties, the purport of the foregoing remarks, which constitute my reply, on the part of Her Majesty's Government, to their petition.

With respect to the general question of the policy of the change which you made concerning the time allowed for the celebration of the carnival, I have already apprized you that Her Majesty's Government are disposed to sympathize with, and to approve the motive which governed your conduct, tempered as it was by a disposition on your part to regard what you believed to be the general sentiment of the population. I see no cause to retract that expression of opinion. At the, same time, I am disposed to think, that in a matter like this of religious concern, nearly concerning the public feeling of a Roman Catholic population, and giving great scope for the action of prejudice among the ignorant, and of evil design among persons of turbulent or unsettled disposition, you would have proceeded in more exact accordance with the dictates of prudence, if, before proceeding to any definitive measure, you had consulted the Archbishop Bishop of Malta, and had ascertained that the step which you had contemplated was one recommended by his advice and authority. I do not mean hereby to imply that you appear to me to have formed, in fact, an erroneous judgement as to the prevailing opinion of the community, but that you would, in the manner I have indicated, have adopted a safer mode of estimating that opinion, and you would have been more exempt from risk of even partial miscarriage in the execution of your intention.

I have, &c.
(signed) *W. E. Gladstone.*

— No. 3. —

No. 3.
Governor Sir P. Stuart to the Right Hon. W. E. Gladstone, 11 June 1846.

(No. 39.)

COPY of a DESPATCH from Governor the Honourable Sir *P. Stuart*, G.C.M.G., to the Right Honourable *W. E. Gladstone.*

Sir, Malta, 11 June 1846.

I HAVE had the honour to receive your despatch dated the 20th ultimo, in which you acquaint me that a memorial had been addressed to you by Mr. Franceso Grungo and others, under date the 23d of April last, and transmitted direct, instead of being sent through me; and desiring that I would apply to the parties for a copy of that memorial, and forward it to you, accompanied by such a report as the case might appear to me to require.

For Mr. Secretary Gladstone's Despatch, 20 May 1846, *vide* Papers ordered by the House of Commons to be printed, 25 May 1846, No. 343, page 6.

Having obtained a copy of the memorial in question, which is signed by Mr. Franceso Grungo and eight other individuals, styling themselves the Committee of a great number of the natives of Malta, acting solely for promoting the welfare of their country,—but of which committee, or by whom appointed, I have no knowledge,—I have the honour to enclose it herewith, and to report thereon as follows:

For Memorial enclosed, *vide* Papers ordered by the House of Commons to be printed, 25 May 1846, No. 343, page 4.

The memorialists have taken advantage of the prohibition to hold the Carnival on a Sunday to attack the Government, accusing it of a want of regard for the interests of the people, and of an intention to introduce among them the principles of the Protestant Religion, in order to urge on your consideration their claims to a participation in what they term the benefits and political rights by all Her Majesty's subjects actually enjoyed; and they enter into a detailed account of the events which took place in Valletta on Sunday the 22d of February last, palliating, in opposition to facts, the excesses committed on that occasion by the populace, and grossly exaggerating the means which I found it necessary to adopt in order to repress their riotous and disorderly conduct.

In respect to what passed here on Sunday the 22d of February last, and the motives by which I was actuated in prohibiting the masking in the public streets on that day, I have already had the honour of submitting to you a full and correct account, in my despatch of the 27th of February last; it only remains for me, therefore, to state, that the allusion made in the memorial to the grievances and oppression which the Maltese suffer from the mal-administration of the

For Sir P. Stuart's Despatch, 27 Feb. 1846, *vide* Papers ordered by the House of Commons to be printed, 25 May 1846, No. 343, page 6.

Government,

Government, is the never-failing topic of that portion of the Maltese who set up a pretension to a popular assembly, and build their hopes of obtaining it from Her Majesty's Government on systematically disparaging, and in attempting to vilify, almost every act of the Local Government.

On the subject of their grievances they deal in this memorial so much in general assertions, that it is impossible for me to say any thing in reply to them; but they must have been much in want of some proof of these, when they accuse me of being actuated, in the suppression of the Carnival on Sunday, by a desire to induce the Maltese to conform to the principles of the Protestant Church, to which assertion I suppose it is scarcely necessary for me to give a decided and positive denial.

I have, &c.
(signed) *P. Stuart.*

—No. 4.—

(No. 34.)

COPY of a DESPATCH from Earl *Grey* to Governor the Honourable Sir *P. Stuart*, G.C.M.G.

Sir, Downing-street, 16 July 1846.

No. 4. Earl Grey to Governor Sir P. Stuart, 16 July 1846.

I HAVE to acknowledge the receipt of your despatch, No. 39, of the 11th June, reporting on a memorial addressed to my predecessor by Franceso Grungo and others on the occurrences which took place at Malta on the 22d February last on the occasion of the Carnival.

Concurring in the views which my predecessor has taken on this subject in his despatches of the 8th March and 15th June last, I have to refer you to those despatches as comprising the answer to be returned to the memorialists.

Adverting to the complaints of the memorialists against the present system of administering the Local Government, I have to desire that you will apprize them that I am unable to hold out to them any prospect that any such change as they contemplate will be introduced into the present system of the Government of the island.

I have, &c.
(signed) *Grey.*

MALTA.

COPIES or EXTRACTS of the DESPATCHES of the GOVERNOR of MALTA, on the Subject of the Events which took place on the Celebration of the CARNIVAL on that Island.—(*In continuation of the Paper No.* 343, *of the present Session.*)

(*Mr. Hume.*)

Ordered, by The House of Commons, *to be Printed,*
23 *July* 1846.

513.

Under 1 *oz.*

MALTA.

RETURN to an Address of the Honourable The House of Commons, dated 4 May 1847;—*for*,

AN "ACCOUNT of the GROSS RECEIPTS, under their several Heads, of the REVENUES of the Island of *Malta*, for the Year 1846; and a similar Return of the manner in which the said Revenue has been expended."

Colonial Office, Downing-street, 24 June 1847.

B. HAWES.

Ordered, by The House of Commons, *to be Printed*, 25 *June* 1847.

A RETURN of the GROSS REVENUE and EXPENDITURE of the Island of *Malta*, for the Year 1846.

REVENUE.

	£.	s.	d.
Customs	75,643	17	4
Quarantine Dues	2,385	12	9
Land Revenue Rents	20,487	3	9
Licenses	1,607	10	–
Postage	97	9	–
Government Gazette and Press	45	1	8
Fines, Forfeitures and Fees of Court	1,374	11	5
Fees of Office	268	4	10
Sale of unserviceable Stores, and of other Articles, the Property of Government	117	13	8
Received from separate Charitable Funds in aid of Government Charities – £. 592 – –			
Occasional Receipts from Inmates of the Charitable Institutions – – 53 – 11			
	645	–	11
TOTAL REVENUE – – – £.	103,172	5	4

EXPENDITURE.

	Salaries. £.	s.	d.	Allowances. £.	s.	d.	Office Contingencies. £.	s.	d.	TOTALS. £.	s.	d.
ESTABLISHMENTS:												
Civil	10,571	14	1	237	13	4	129	18	6	10,939	5	11
Revenue	4,852	15	–	160	13	4	309	4	9	5,322	13	1
Quarantine and Marine Police	6,958	19	3	159	13	4	440	14	8	7,559	7	3
Judicial	6,523	9	4	171	13	4	204	4	6	6,899	7	2
Police and Gaols	7,329	13	10	232	3	–	242	19	11	7,804	16	9
Medical	4,329	1	11	211	12	–	209	16	10	4,750	10	9
Education	3,695	5	2	–	–	–	298	–	–	3,993	5	2
Ecclesiastical	466	15	–	315	–	–	–	–	–	781	15	–
Pensions, Retired Allowances and Gratuities										12,832	17	–
Law Expenses										318	4	8
Stationery and Printing										691	4	5
Infant School at Valletta, and Books for the Public Library										187	11	11
Alms to the Poor										3,489	18	7
Maintenance and Treatment of Patients and Inmates in the Hospitals and Asylums										9,151	9	8
Maintenance of Distressed Maltese Abroad, and on Passage Home										670	14	11
Clothing, Arming, and Petty Expenses of the Police Force										666	12	4
Maintenance of Prisoners in Gaol										531	15	2
Constructing and Repair of Roads, Streets, Bridges and Sewers										7,554	15	11
Lighting and Cleansing the Streets										1,698	15	3
Constructing an additional Line of Aqueduct to Valletta, and extending the Supply of Water										5,623	19	9
Works and Buildings										6,466	4	8
Interest on Ancient Loans, 1798										1,936	14	8
Contribution towards Military Expenditure										6,200	–	–
Burthens on Crown Property										1,214	18	1
Drawbacks, and Refund of Duties										4,125	6	7
Loss on the withdrawal of uncurrent Silver Coins from circulation on the alteration of the Currency, with Freight and Expenses										1,180	3	9
TOTAL EXPENDITURE – – – £.										112,597	8	5

N B.—The Excess of Expenditure for the Year was supplied out of the Balance which remained in the Colonial Treasury on 31st December 1845, and Monies in course of remittance from the Agent in London to the Island Treasury.

Audit Office, 14 June 1847.

W. L. HERRIES.
H. F. LUTTRELL.
J. OSBORN.

MALTA.

A RETURN of the Gross Revenue and Expenditure of the Island of *Malta*, for the Year 1846.

(*Dr. Bowring.*)

Ordered, by The House of Commons, *to be Printed*,
25 *June* 1847.

MALTA.

RETURN to an Order of the Honourable The House of Commons, dated 31 July 1848;—*for*,

RETURN, "in Detail, of SUMS VOTED for the GENERAL STAFF of *Malta* for the Year ending the 31st day of March 1843:"

"RETURN of AMOUNT VOTED for the same purpose in the Years ending the 31st days of March 1844, 1845, 1846, 1847 and 1848:"

"RETURN, in Detail, of SUMS VOTED for the same purpose for the Year ending the 31st day of March 1849:"

"RETURNS showing all PAYMENTS MADE to the Governor of *Malta* from the COLONIAL RESOURCES for the same Years:"

"And, RETURN showing all PAYMENTS MADE to the Lieutenant-General Commanding the Forces for the same Years."

Colonial Office, Downing-street, 1 September 1848.

B. HAWES.

RETURN, in Detail, of SUMS VOTED for the GENERAL STAFF of *Malta*, for the Years from 1842 to 1848.

	1842.	1843.	1844.	1845.	1846.	1847.	1848.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
One Lieutenant-General	Without Staff Pay, being Civil Governor.			- - -	- - -	- - -	1,383 19 2
One Aide-de-Camp	173 7 6	173 17 -	173 7 6	173 7 6	173 7 6	173 17 -	* 346 15 -
One extra Aide-de-Camp	- - -	- - -	- - -	- - -	- - -	- - -	ceased.
One Assistant Secretary	173 7 6	173 17 -	173 7 6	173 7 6	173 7 6	173 17 -	173 7 6
One Chaplain	292 - -	292 16 -	292 - -	292 - -	292 - -	292 16 -	292 - -
One Town Adjutant	91 5 -	91 10 -	91 5 -	† ceased.	—	—	—
One Town Major	182 10 -	183 - -	182 10 -	182 10 -	182 10 -	183 - -	182 10 -
TOTAL £.	912 10 -	915 - -	912 10 -	821 5 -	821 5 -	823 10 -	2,378 11 8

* Two Aides-de-Camp in 1848.

† On the discontinuance of the Town Adjutant, an allowance of 5 *s.* a day was granted to the Town Major for performing the duties of Town Adjutant and Garrison Quartermaster, and borne as contingencies.

War Office, 9 August 1848.

(signed) *F. Maule.*

RETURN of the AMOUNT of all PAYMENTS MADE to the Governor of *Malta* from the COLONIAL RESOURCES, for the Years ending 31 March 1843, 1844, 1845, 1846 and 1847, and for the Period from 1 April to 31 December 1847, to which latter Date only the Accounts of *Malta* (the same being rendered annually, viz. from 1 January to 31 December) have been received at the Audit Office.

PERIOD.	SALARY.	ALLOWANCE for Maintenance of the Gardens of St. Antonio, and of the Government Barge.	PASSAGE ALLOWANCE on Retirement from the Government.	—	—	ANNUAL TOTALS.	REMARKS.
Year ending	£. s. d.	£. s. d.	£. s. d.			£. s. d.	
31 March 1843	5,000 - -	400 - -	- - -	- - -	- - -	5,400 - -	(*a*) The difference between this amount and the full salary arises from a broken period of issue upon a change of Governors.
Ditto 1844	(a)4,896 19 7	(*b*) 241 15 2	300 - -	- - -	- - -	5,438 14 9	
Ditto 1845	5,000 - -	200 - -	- - -	- - -	- - -	5,200 - -	
Ditto 1846	5,000 - -	200 - -	- - -	- - -	- - -	5,200 - -	
Ditto 1847	5,000 - -	200 - -	- - -	- - -	- - -	5,200 - -	(*b*) The allowance for the Government Barge ceased from 15 June 1843.
From 1 April to 31 December 1847, the latest account received at the Audit Office.	(c)2,849 3 8	150 - -	- - -	A Private Secretary allowed at 300 *l.* per annum, commencing 18 December 1847.	An Aide-de-Camp allowed at 173*l.* 17*s.* 6*d.* per annum, commencing 18 December 1847.	2,999 3 8	(*c*) During a vacancy in the Office of Governor, half salary only was issued to the Acting Governor.

Audit Office, 17 August 1848.

(signed) *W. L. Herries.*
H. F. Luttrell.
Henry Arbuthnot.

MALTA.

RETURN, in Detail, of Sums Voted for the General Staff of *Malta*, and of all Payments made to the Governor of *Malta* from the Colonial Resources, for the Years ending 31 March 1843–1849.

(*Mr. William Lockhart.*)

Ordered, by The House of Commons, *to be Printed,*
4 *September* 1848.

MALTA.

RETURN to an Address of the Honourable The House of Commons, dated 5 February 1850;—*for*,

"COPIES or EXTRACTS of any DESPATCHES between the Governor of *Malta* and the Secretary of State for the Colonies, relating to the ADMISSION of FOREIGNERS into the Island of *Malta*."

Colonial Office, Downing-street, March 1850.

B. HAWES.

(*Mr. Hume.*)

Ordered, by The House of Commons, *to be Printed*, 12 *March* 1850.

SCHEDULE.

DESPATCHES FROM GOVERNOR THE RIGHT HON. R. MORE O'FERRALL, AND ACTING-GOVERNOR COLONEL RICE JONES.

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COPIES or EXTRACTS of any DESPATCHES between the Governor of *Malta* and the Secretary of State for the Colonies, relating to the ADMISSION of FOREIGNERS into the Island of *Malta*.

Despatches from Governor the Right Honourable R. More O'Ferrall.

— No. 1. —

(No. 29.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 13 April 1848, No. 35, page 63).

No. 1.
The Right Hon. R. More O'Ferrall to Earl Grey, 18 March 1848.

Malta, 18 March 1848.

My Lord, (Received, 31 March 1848.)

I BEG to inform your Lordship that the Neapolitan steam-vessel "Vesuvio" arrived here early yesterday morning from Naples, with 49 Jesuits on board. She brought at the same time a despatch from Lord Napier, dated Naples, 13 March 1848, respecting them, a copy of which is enclosed. *13 March 1848.*

Your Lordship will see that Lord Napier speaks of passports having been granted to 114. A considerable number, however, have remained in Naples in the houses of friends; some are said to have disembarked in Sicily, with the view of procuring a passage to Spain, so that the number which arrived here was reduced to 49.

I immediately directed Sir Vincent Casolani, the Collector of Land Revenue, to communicate with the Archbishop Bishop of Malta, and with the Sicilian Consul-general resident here, on the subject; and your Lordship will see by the letter of Sir Vincent Casolani, of which I enclose a copy, that fitting accommodation has been provided for them in the convent of St. Calcedonio, situated in the suburb of Floriana. *17 March 1848.*

As opportunities occur, every facility will be given to such of them as may be desirous of quitting the island for their respective countries.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 1.

Lord *Napier* to the Right Honourable *R. More O'Ferrall.*

Sir, Naples, 13 March 1848.

I HAVE the honour to acquaint your Excellency that the Neapolitan government, yielding to a popular clamour, have consented to the expulsion of the Jesuits from this capital. Encl. 1, in No. 1.

Their banishment, which is disguised under the pretext of a voluntary departure, has been accompanied by circumstances of peculiar hardship, and in the present temper of public feeling it would be imprudent for them to take refuge in any of the adjoining states of Italy.

Under these circumstances, the Government of his Sicilian Majesty have determined to convey the members of this persecuted order to Malta, in the hope that they will find, under your authority, that asylum which is never denied by Her Majesty's Government to any class or colour of political refugees.

I have been assured that the Order of the Jesuits is not generally esteemed at Malta, and I am sensible that so large an increase of their number may not be in all respects desirable; yet I feel that I should be deviating from the principles of impartial toleration which distinguish Her Majesty's Government, if I did not grant them the usual facilities of passport, and recommend them to your Excellency's protection and good offices.

The Neapolitan Government have engaged the steam-vessel "Vesuvio" for the accommodation of the Jesuits, and have placed in the hands of the captain the sum of 2,000 ducats for their entertainment and relief, to which an additional sum of 1,000 ducats has been added for their subsequent assistance, should they require it, which will be remitted to the Neapolitan Consul at Malta.

I have the honour to enclose to your Excellency a list of the names of the Jesuits, as they appear on their passports, signed by Her Majesty's Legation, to the number of 114, and I believe that it is their intention to disperse, and return as opportunity may offer, to their

their several places of birth or previous residence; but I have not thought it necessary to insist on their profession being specified in their respective passports, which might perhaps expose them afterwards to molestation.

I have, &c.
(signed) *Napier.*

Sub-Enclosure to Enclosure 1, in No. 1.

LIST of JESUITS expulsed from *Naples.*

1. D. Beniamino Palumbo, Prof. di Matematiche.
2. D. Gennaro Maria Cutinelli, Proprietario.
3. D. Antonio Maria Beer di Milano, Proprietario.
4. D. Michelangelo Bentivenga, Proprietario.
5. D. Luigi d'Amico, Letterato.
6. D. Serafino Centrella, Proprietario.
7. D. Giuseppe Ardia, Letterato.
8. D. Giovanni Maria Damora, Legale.
9. D. Giovanni Antonio Cabianca, Negoziante.
10. D. Errico Maria Aveta, Proprietario.
11. D. Ludovico Trambacio, Proprietario.
12. D. Gioacchino Medina, di Valenza, Proprietario.
13. D. Raffaele Garrucci, Prof. di Archeologia e lingue Orientali.
14. D. Antonio Maria di Paolo, Proprietario.
15. D. Leopoldo Perez de Neva, Prof. di Filosofia.
16. D. Achille Costabile, Benestante.
17. D. Salvatore d'Amico, Proprietario.
18. D. Carmelo Papallo, Proprietario.
19. D. Ferdinando Galasso, Filosofo.
20. D. Giovanni Guidi, Benestante.
21. D. Giovanni Antonio Punzi, Prof. di Filosofia.
22. Giovanni Giuseppe Scotti, Fisico.
23. D. Antonio Maria Salvio, Prof. di Fisica.
24. D. Angelo Capelli, Benestante.
25. D. Angelo Andrea Gottoli, Benestante.
26. D. Paolo Cappelloni, Benestante.
27. D. Antonio Cercia, Proprietario.
28. D. Girolamo Paradisi, Civile.
29. D. Carlo Maria Curci, Letterato.
30. D. Raffaele Cercia, Prof. di Scienze.
31. D. Giuseppe Penneno, Letterato.
32. D. Tommaso Manfredonia, Possidente.
33. D. Prospero Maria Paradisi, Proprietario.
34. D. Giuseppe Panzanelli, Avvocato.
35. D. Giuliano Giordano, Prof. di Fisica.
36. D. Antonio Biazoli, Benestante.
37. D. Gaetano Zanelli, Civile.
38. D. Leonardo Fava, Proprietario.
39. D. Tommaso Garavini, Proprietario.
40. D. Nicola Sorrentino, Benestante.
41. D. Francesco Giaquinto, Benestante.
42. D. Angelo Zuliani, Benestante.
43. D. Giuseppe Maria Rosa, Dottore in Filosofia.
44. D. Innocenzo Polcari, Possidente.
45. Francesco Galazzo, Proprietario.
46. D. Francesco Berardinelli, Prof. di Bellelettere.
47. D. Agnello della Corte, Prof. di Filosofia.
48. D. Gaspare Maria Regelstein, Francese, Benestante.
49. D. Michele Pellegrino, Legale.
50. D. Pellegrino Zineone, Benestante.
51. D. Ruggiero Leoncavallo, Letterato.
52. D. Matteo Liberatore, Prof. di Filosofia.
53. D. Andrea Guaccarini, Prof. di Bellelettere.
54. D. Antonio Grech, di Malta, Proprietario.
55. D. Giovanni Marziotti, Proprietario.
56. D. Luigi Marii, Proprietario.
57. D. Nicola Messina, Proprietario.
58. D. Domenico Sorini, Proprietario.
59. D. Felice del Val, Spagnuolo, Benestante.
60. D. Giuseppe Altavilla, Benestante.
61. D. Raffaele, Napolitano, Proprietario.
62. D. Francesco Saverio Zenditti, Benestante.
63. D. Raffaele della Calle, Spagnuolo Benestante.
64. D. Giovanni Battista Miglietta, Benestante.
65. D. Luigi Massa, Possidente.
66. D. Domenico Torallo, Prof. di Matematiche.
67. D. Giulio Chiurazzi, Legale.
68. D. Giacinto Barletta, Legale.
69. D. Benedetto Castaldi, Benestante.
70. D. Giuseppe Sardone, Letterato.
71. D. Michele de Angelis, Proprietario.
72. D. Antonio Pesatore, Benestante.
73. D. Francesco Menendez, di Madrid, Possidente.
74. D. Giuseppe Palumbo, Sarto.
75. Ignazio Enrich, Spagnuolo, fabbricante di seta.
76. Andrea Oberlins, Proprietario.
77. Francesco Lauretti, Proprietario.
78. Salvatore Lonjuri, Cameriere.
79. Gio. Battista Tortora, Barbiere.
80. Raffaele Acampora, Sarto.
81. Giovanni Loffredo, Impiegato.
82. Francesco Miserandino, Legale.
83. Padre Angelo Zuliani, Predicatore.
84. Giuseppe Palmieri, Falegname.
85. Ferdinando Rossi, Falegname.
86. Francesco Gravina, Civile.
87. Vincenzo Quaranta, Calzolajo.
88. Alessio di Cristoforo, Fornajo.
89. Feliciano Bussi, Sarto.
90. Luigi Russo, Intagliatore.
91. Davide Ronca, Sartore.
92. Raffaele Grondeville, Prof. di Musica.
93. Raffaele Blando, Cuoco.
94. Francesco Saverio, Siciliano, Cuoco.
95. Francesco Saverio Maresca, Falegname.
96. Raffaele Scala, Sartore.
97. Raffaele Vivenzio, Cuoco.
98. Luigi Grimaldi, Sarto.
99. Michelangelo di Napoli, Cuoco.
100. Giuseppe Navarra, Farmacista.
101. Felissimo Ronca, Calzolajo.
102. Domenico Ferullo, Calzolajo.
103. Francesco Adinolfi, Civile.
104. Raffaele Capozzi, Panettiere.
105. Michele Pompeo, Proprietario.
106. Salvatore Farina, Medico-Cerugico.
107. Vincenzo Greco, Farmacista.
108. Antonio Petriccione, Sarto.
109. Luigi Fiore, Possidente.
110. Domenico Maria de Majo, Negoziante.
111. Angelo Avitabile, Possidente.
112. Antonio de Maria, Farmacista.
113. Pasquale Satriano, Sartore.
114. Giovanni Garzia, Muratore.

Enclosure 2, in No. 1.

The Collector of Land Revenue to Mr. *Lushington.*

Sir, Valletta, 17 March 1848.

In compliance with the Governor's directions contained in your letter of this date, I have had a communication with the Archbishop Bishop of Malta, on the subject of the accommodation to be afforded to the refugee Jesuits arrived here this morning from Naples; and I lose no time in reporting, for his Excellency's information, that his Lordship, considering the old convent "San Calcedonio" as in every respect the best suited building for the object in view, has given the necessary orders for their reception therein. I therefore request that his Excellency may be pleased to authorize the Purveyor of Charitable Institutions to supply me with the articles enumerated in the annexed requisition, for their temporary accommodation. Encl. 2, in No. 1.

I have further to report, that the Neapolitan Consul has informed me, that as four of the refugee Jesuits intend to avail of the opportunity of the "Vesuvio" steam-vessel to retire to their own country (two in Sicily and two in Verona), the total number who are to land this evening will be 45.

I have, &c.

(signed) *Vin. Casolani.*

Required for the temporary use of the Refugee Jesuits, arrived here from Naples by the Steam-ship "Vesuvio," the undermentioned Articles of Bedding; viz.—

Flock mattresses	45
Flock pillows	45
Palliasses filled with straw	45
Bolster-cases filled with straw	45
Sheets	90
Pillow-cases	45
Blankets	45
Coverlets	45

All which to be returned to store.

(signed) *Vin. Casolani,* Collector.

Valletta, 17 March 1848.

— No. 2. —

(No. 48.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to *Earl Grey.*

Malta, 24 April 1848.

My Lord, (Received, 9 May 1848.)

I have the honour to acquaint your Lordship, that I have received a despatch from Lord Napier, dated Naples, 20th April 1848, informing me that orders had been given by the Neapolitan Government for the payment of the 1,000 ducats promised for the maintenance of the Neapolitan Jesuits sent to Malta. No. 2. The Right Hon. R. More O'Ferrall to Earl Grey, 24 April 1848.

I have further to acquaint your Lordship, that 17 of the number of 49 who arrived have already quitted the island, mostly returning to Naples.

I have, &c.

(signed) *R. More O'Ferrall.*

— No. 3. —

(No. 65.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey.*

(Answered, 17 June 1848, No. 52, page 63.)

Malta, 26 May 1848.

My Lord, (Received, 8 June 1848.)

I have the honour to acquaint your Lordship, that the French steamer "Pluton" arrived here yesterday from Naples with eight refugees on board, persons prominently concerned in the insurrection of May 15. They had been taken on board by No. 3. The Right Hon. R. More O'Ferrall to Earl Grey, 26 May 1848.

by the French Admiral from motives of humanity. They wished to be landed in Sicily or Calabria; but this the Admiral declined, from respect to the principle of strict neutrality in the internal dissensions of a friendly power, as explained in his letter to the French Consul at Malta, copy of which is forwarded herewith.

On their arrival here the Consul applied to me for permission for their reception; a request which in the case of persons arriving under such circumstances from a place where we have a resident Minister, without recommendation or passport from that Minister, could not but create some difficulty. I however acceded to it after due consideration, informing the Consul that the reason which justified me in doing so was my anxious wish not to thwart the course taken by Admiral Baudin respecting these persons, with a view to that strict neutrality which it was so important that France and England should conjointly preserve. They were accordingly permitted to land.

In the course of the day they applied for passports to proceed to Sicily; but this request, in accordance with the principle followed by the French Admiral in sending them hither, and acted on by me in admitting them, was necessarily for the time declined. A renewed application was expected this morning, but it appears that seven of the number left the island clandestinely, without passports, the same night, in all probability for Sicily. The leader, Count Ricciardi, remains here for the present. He applied to me personally this morning for a passport to Sicily; but on his positively declining to state that it was not his intention in going there to levy war on the King of Naples, I felt bound to act in strict furtherance of the principle so justly enforced by Admiral Baudin in his conduct towards these persons, and refused the passport.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure in No. 3.

Vice-Admiral *Baudin* to the French Consul at *Malta*.

"Friedland," Rade de Naples,
23 Mai 1848.

Monsieur,

Encl. in No. 3. J'ai reçu la lettre que vous m'avez fait l'honneur de m'écrire le 5 de ce mois; je vous remercie des renseignemens qu'elle renferme, et je vous serai reconnaissant de tous ceux que vous voudrez bien prendre la peine de m'adresser à l'avenir.

Le "Pluton," que j'envoie aujourd'hui à Malte, y porte une partie des réfugiés Napolitains qui ont été contraints à la suite de l'insurrection du 15 Mai de chercher asile sur l'escadre. Ils auraient souhaité que je les convoyasse en Sicile ou en Calabre; je m'y suis refusé, par respect pour le principe de stricte neutralité qui nous est imposé dans toutes les querelles intérieures des autres pays, et je les envoie à Malte d'où leur intention me paraît être de rentrer dans leur patrie. Je les recommande instamment à votre plus bienveillant accueil.

Voici leurs noms :—

M. Ricciardi,	M. Mileti,
De Lieto,	Torricelli,
Romeo (Stephano),	Cannade,
Plutino (Agostino),	Amodei.
Plutino (Antonio),	

Je vous serai obligé de vouloir bien me faire connaître ce que vous saurez ultérieurement de la destination et du sort de chacun d'eux.

Recevez, &c.

Le Vice-Amiral Commandant-en-Chef les Forces Navales de la Méditerrannée,
(signed) *C. Baudin.*

P.S.—Je viens d'écrire à mon ami le Vice-Amiral Sir William Parker, pour recommander à sa bienveillance ces réfugiés. J'espère que si leur débarquement rencontrait quelques obstacles il voudrait bien contribuer avec vous à les lever.

— No. 4. —

(Separate.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 17 July 1848, No. 70, page 63.)

Malta, 1 July 1848.
(Received, 12 July 1848.)

No. 4.
The Right Hon. R. More O'Ferrall to Earl Grey, 1 July 1848.

My Lord,

MY attention has recently been called to an article in the "Mediterraneo" newspaper of the 28th ultimo, purporting to be an address from the Italians in Malta to the Maltese people, in which the latter are invited to avenge what is termed an insult offered in their port to the three-coloured flag of Italy, by the Austrian Consul resident here, the author pre-supposing that the Maltese people have an interest and feel themselves bound to uphold the Italian cause, a cause which the Italian refugees have long been in the habit of designating as that of the Italian peninsula and adjacent islands, thus insinuating that the Maltese ought, from the geographical position of the island, to make common cause with Italy and Sicily.

This is one of a great number of articles which have appeared in the "Mediterraneo," and which, I have reason to believe, are all from the pen of an Italian named Lorenzo Borsini, who has resided in Malta for some time, but who, not contented with the liberty and protection which all foreigners enjoy in this island, has put himself forward as a redresser of grievances; and being one of the writers for the "Mediterraneo," has done his utmost for a long period to sow discord and foment animosity between the military and the people, and to render the Maltese discontented with their position and government.

I by no means think that he has yet succeeded in this design; on the contrary, I am led to think that Mr. Borsini has, by his intermeddling disposition and very indifferent moral character, rendered himself not only obnoxious as a writer, but hateful to a very great portion of the inhabitants of Valletta.

Mr. Borsini has besides inserted in several numbers of the "Mediterraneo," particularly in those of the 29th March and 12th April last, letters to which he has had the effrontery to put his name, threatening the Italian refugees in Malta who are not of his party, with vengeance, and pointing them out by name as objects of public indignation.

In one of his letters inserted in the "Mediterraneo" of the 7th ultimo, and signed by him, he tries to vindicate the conduct of the Sicilian authorities in having put to death a wretched individual, on the charge, that while in Malta he had been a spy of the Neapolitan Consul; and in doing this, Mr. Borsini confesses, nay, almosts boasts, that he had had recourse to the very discreditable means of gaining secret information through the poor man's female servant, relative to his connexion with the Neapolitan Consul.

Mr. Borsini is, moreover, the chief contributor to a low and scurrilous print called "Stenterello," in which is mixed up, with much of a political nature, articles holding up to ridicule, and occasionally slandering, private individuals and families, to their great annoyance and discomfort.

Under these circumstances, I consider that Mr. Borsini is a fitting object for the exercise of the powers vested in me by Her Majesty's Order in Council, dated the 1st February 1843,* and that were he, in virtue of that Order, to be sent from the island, it would be a just and proper act, and have a beneficial effect as a salutary example to others residing here under similar circumstances.

I have preferred laying the subject before your Lordship to acting at once on my own authority, because but little inconvenience will arise from a short delay, and it would be satisfactory to me to have your Lordship's previous concurrence.

* This Order in Council will be found printed at page 70 of this Paper.

I have, &c.

(signed) *R. More O'Ferrall.*

— No. 5. —

(No. 51.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 2 June 1849, No. 160, page 64.)

No. 5.
The Right Hon. R. More O'Ferrall to Earl Grey, 12 May 1849.

Malta, 12 May 1849.
(Received, 31 May 1849.)

My Lord,

In exercise of the power committed to me by Her Majesty's Order in Council of the 1st February * 1843, I have thought it right to order a person of the name of Luigi Zuppetta to quit these possessions, at the same time offering him a passport for any port he might prefer. He finally chose Marseilles, and departed to-day by the French steamer.

* *See* page 70 of this Paper.

As this person's conduct on previous occasions, while resident in Malta, has already been the subject of correspondence with your Lordship and your predecessor (a correspondence originating in the remonstrance of the Neapolitan Minister in London against the language used by M. Zuppetta in a publication entitled "Giù la Tirannide," with reference to his Majesty the King of the Two Sicilies), I beg to refer your Lordship to those despatches named in the margin†, and to the more detailed statement of the Inspector of Police, of this day's date, herewith transmitted, in illustration of M. Zuppetta's public and private character.

† To Mr. Gladstone, No. 54, July 28, 1846. To Earl Grey, No. 63, Aug. 17, 1846.

12 May 1849.

He last left Malta in July 1848, being at that time under the surveillance of the police; he has since been implicated in the troubles of Naples and other parts of Italy, and has recently returned as a political refugee.

The large number of persons of that class at present in Malta, as shown by the enclosed return, renders some precaution necessary.

Page 8.

The character of Zuppetta, the manner in which he had abused the protection formerly accorded to him by this Government, and the daily risk of a breach of the peace arising out of his previous conduct as a private individual (under circumstances for which I refer your Lordship to the statement of the Inspector of Police), convinced me that his removal was necessary. It has accordingly been effected with the least possible harshness, and without any demonstration of feeling against it from any quarter.

I take this opportunity of stating to your Lordship, that directions have been given to the police to watch carefully, but without vexatious interference, the behaviour of the refugees; treating with respect and indulgence persons of good character, who are exiles from purely political motives; and I have much gratification in adding that the conduct of the mass since their arrival in the island has been eminently inoffensive and orderly.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 5.

The Inspector of Police to Mr. *Lushington*.

Sir,

Police Office, Valletta, 12 May 1849.

Encl. in No. 5.

I have the honour to transmit to you, for the information of his Excellency the Governor, the following narrative of facts relating to M. Luigi Zuppetta, and of the measures I adopted with regard to him.

M. Luigi Zuppetta returned this last time to this island in the French Government steamer "Mentor," with a Sicilian passport, dated Messina, 22d July 1848. He presented himself at this office, at the request of the police, on the 28th of that month, and gave the guarantee of M. Pasquale Sajan, a respectable shopkeeper of this place, and took up his residence in Casal Lia.

M. Zuppetta has been in Malta twice before, namely, the first time in September 1843, coming from Corfu with a Neapolitan passport in the name of Giuseppe di Miranda, leaving this in August 1846, with a passport from the Chief Secretary's Office. He returned here the second time on the 27th July 1847, with a passport from the Sardinian Consul-general at Marseilles, under the name of Antonio Cabigiosi, when he declared at this office, that having been under the necessity of visiting various countries, he had been obliged to conceal his own name, and make use of the above-mentioned passport. In September 1847, I was instructed to make, and on the 21st of that month did make, a communication to M. Zuppetta, to the following effect:

"That the Government was aware that he had twice arrived in this island under a false name and denomination, and that I was to ask him what he had done with the passport which

which he got from the Chief Secretary's Office for London, when he left Malta in 1846. I was also desired to tell him that it did not appear from the *visa* on his false passport, that he had been at any place where he might not have travelled under his own name, and to warn him that he was strictly under surveillance here."

M. Zuppetta in answer to this my communication, wrote to me an impertinent letter, which he also published in a paper edited by him, and entitled "Giù la Tirannide;" and he left this on the 26th April 1848, and it was hoped he would never return.

During M. Zuppetta's second residence in Malta, his character for morality was anything but satisfactory, and his conduct gave great and general offence in this island, owing to his having induced three young Maltese girls, sisters, and orphans of good character, honestly working for their livelihood, to quit their home in Casal Balzan, and to live with him; whom on his departure he left utterly pennyless (he having taken with him any little gold ornaments they may have had), their good name destroyed, and one of them in the way of becoming a mother! Providentially, however, a young Maltese of excellent character and conduct, and with some means, having subsequently married one of these sisters, took charge of them all, and under his care and protection they have resided up to the present time. M. Zuppetta, notwithstanding what had previously occurred as above, on this his last return to Malta, took up his residence in Casal Lia, in the immediate vicinity of the habitation of the two unmarried sisters, and commenced obtruding himself on their notice; thus giving rise to well-founded complaint on the part of the husband of the other sister, who had so charitably assumed the care of the whole family (the infant born to one of them included), and causing him to threaten extreme personal violence against Zuppetta, if some measures were not taken to prevent this latter from enticing away or otherwise molesting these poor females, whom the sister's husband had rescued from sin and misery.

Under these circumstances I conceived his absenting himself for so short a period from this island had not in any way diminished the necessity of keeping him under strict surveillance, and intimated to him that it would be better that he should reside in Valletta, and at the same time begged for instructions as to how I was to deal with him in future.

The instructions I received from Government in consequence were, "that I should inform M. Zuppetta that he could not remain in this island, but that he must depart in three days; and further, that I should request him to indicate to me the place to which he might wish to go, so that a passport might be prepared for him." This communication was by me made to M. Zuppetta on the 3d instant, to which he replied that he would obey the order, and would depart by the first French steamer to Naples; and I transmitted to the Government copy of a letter which M. Zuppetta addressed to me on that occasion in Italian, of which the following is a translation:

"To the Most Illustrious the Inspector of Police.

"Most Illustrious Sir,

"I accept with resignation the orders of Government, by which I am ordered to depart from this island, and receive them with that resignation with which the wise meet inevitable evils, caused by an irresistible force.

"With regard to the place of my destination, I choose Naples. It is there where the Bourbon, to fill up the measure of aggravation, has instituted a capital process against me and some other deputies who had the virtue not to adhere to the unconstitutional wishes of him who entitles himself King, and is a shedder of blood ('carnefice.') A cause in which the dignity of the nation is involved should not be treated in contumacy. The accomplices of the royal delinquencies, under the feigned name of judges, will have to turn pale at the pronunciation of my sentence of death, seeing me fearless.

"I am, &c.

(signed) "*Prof. Zuppetta.*"

M. Zuppetta, independently of the above communication in writing, further verbally expressed to me a wish to have a passport from the Neapolitan Consul, and requested me to send to that gentleman, and to make known this his desire, as although it is evidently desired by the Neapolitan Government to have him in its power, he is apprehensive that the Consul would refuse him a passport, which I of course declined doing.

On the 4th instant I received a Government order requiring and enjoining me to intimate to Luigi Zuppetta that he must within one day from the day of his being served with a copy of that order, depart from the precincts of this Island of Malta and its dependencies; copy of which order I served on M. Zuppetta that same day at 5 P.M., and he in consequence addressed to me a letter in Italian, a translation of which I beg here to subjoin:—

"To the Most Illustrious the Inspector of Police.

"Most Illustrious Sir, Valletta, 4 May 1849.

"I have to acknowledge the receipt of the copy of the venerated order of his Excellency the Governor.

"I have already declared, and now declare, that I am disposed to obey, to its fullest extent, all that is superiorly commanded of me. But I repeat the desire of having a passport direct for Naples, in order to surrender myself a prisoner of state, thereby to assist at the public discussion of my capital cause.

"In case any supreme reason, into which I do not pretend to inquire, should be in opposition to this my desire, I would, with the most lively eargerness, ask to be furnished with a pasport direct for Marseilles.

"At all events, I ask you, Mr. Inspector, to procure for me from his Excellency the Governor permission to depart by the steamer of the 12th instant, owing to the absolute impossibility I am under of departing to-morrow; and I would ascribe such permission as a most special favour.

"In the event that my presence should be considered as troublesome to this island, which, however, my education and my sense of my duty should not put in doubt, I would offer to remain during such interval on board an English ship, or in the prison.

"Accept, &c.
(signed) "*P. Luigi Zuppetta.*"

On the 4th instant I submitted M. Zuppetta's letter to the Government, and consequently directed, as ordered, that he should reside in Valletta, be kept under strict surveillance of the police, and not be allowed to go out of town. M. Zuppetta expressed again his readiness to obey superior orders, but alleged as his reason for not living in town, the want of lodgings, and requested to be allowed to sleep in the Castellania, to which request I acceded.

On the 9th instant M. Zuppetta addressed to me a third letter in Italian, of which the followed is a translation:—

"To the Most Illustrious the Inspector of Police.

"Most Illustrious Sir, Valletta, 9 May 1849.

"First of all I make it my duty to thank you for having obtained me the favour of departing by the steamer of the 12th instant, instead of that of the 5th.

"In the second place, I would earnestly beg you to communicate to me in writing all the measures adopted by his Excellency the Governor with regard to me, and which have been by me accepted, and carried into effect with the utmost exactness imaginable.

"In the third place, I would entreat you to suspend for half an hour the order preventing me from going beyond the gates of the town, as I am under the necessity of going to Castel Lia to pay my account and get up my effects.

"Believe me, &c.
(signed) "*Zuppetta.*"

I of course declined M. Zuppetta's requests, stating that I had no orders to give him in writing, except the orders from his Excellency the Governor for his departure, which already had been regularly served on him; and further told him he could not be allowed to go to Casal Lia (in which and in the neighbouring Casal, Balzan, there existed a great feeling against him); but I offered him every possible facility for settling his affairs through other persons.

M. Zuppetta, on hearing such my refusal, said he would purposely pass the gates of the town, that he might be arrested. He in fact attempted twice to pass the Marina Gate, but on his being reminded by the police, under whose surveillance he was placed, of the order existing in respect to him, he, after some altercation, desisted from his intention, and returned to town.

He this morning embarked on board the French Government steamer "Scamandre," at a quarter past nine, and he left port by her at a quarter past 11 o'clock A.M.

I have, &c.
(signed) *Fred. Sedley.*

Enclosure 2, in No. 5.

Encl. 2, in No. 5. NUMERICAL RETURN of REFUGEES arrived in *Malta* from the 1st April to the 11th May, 1849, inclusively; showing also the Number of Departures out of said Arrivals during the same Period.

	Men.	Women.	Children.	TOTAL.
Arrivals - - - - - - - - -	432	166	156	754
Departures - - - - - - - -	75	21	16	112
Remained in the island on the 11th May 1849 -	357	145	140	642

Police Office, Valletta, 12 May 1849.

(signed) *Fred. Sedley*, Inspector.

— (No. 6.)—

(No. 56.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 18 June 1849, No. 25, page 64.)

Malta, 17 May 1849.

My Lord, (Received, 31 May 1849.)

No. 6.
The Right Hon. R. More O'Ferrall to Earl Grey.
17 May 1849.

I have the honour to inform your Lordship that yesterday, the 16th of May, two steam-vessels entered the port of Malta, bearing the Neapolitan flag. One of them, the "Archimede," is an armed vessel detached from the Neapolitan fleet; the other is named the "Peloro," which sailed from Palermo on the 14th of May, with refugees on board bound to Malta.

The master of the "Peloro" states, that on the 14th of May, when off the port of Palermo, his vessel was detained by the blockading squadron, and after some time was allowed to proceed, accompanied by the "Archimede."

Permission having been demanded to land the passengers, a list of 238 persons was furnished to the port officers, copy of which is enclosed herewith; and as they were described as soldiers, and for the most part Neapolitans, and of a class not likely to be in a position to comply with the law* regulating the admission of foreigners, herewith transmitted, the Superintendent of Quarantine and Marine Police applied to me for instructions.

Encl. 1, page 10.

* Encl. 2, page 14
1 January 1818.

I sent for the Neapolitan Consul, who came to me accompanied by the Captain of the "Archimede." The Consul stated he had received no instructions. The Captain confirmed the statement of the master of the "Peloro," and stated that he had proceeded to Malta by orders of his commanding officer, which he produced, and of which a copy with a translation into English is herewith inclosed.

Encl. 3, page 15.

A Maltese merchant, who had acted as Sicilian agent at Malta, received a letter from Barone Riso, dated Palermo, the 14th of May, in which he apprizes him that the passengers in the "Peloro" are Neapolitan deserters, and directs him to advance the sum of 890 ounces for their maintenance, and to supply the vessel with coal and send her back to Sicily. This gentlemen stated to me that he was ready to pay the money, but declined to become guarantee in terms of the law.

Encl. 4, page 15.

It appears that on the 7th of May an amnesty was published in Sicily; that on the 11th of May another proclamation was issued, excepting 43 persons by name from its benefit; and it further appears, that among the 238 persons on board the "Peloro," there are four of the persons excepted from the amnesty by name.

Encl. 5, page 16.
Encl. 6, page 17.

The case is one of considerable difficulty, and without precedent. The "Peloro" is a prize to the blockading squadron of the King of the Two Sicilies, with Neapolitan deserters, Sicilian revolutionists and foreigners on board, who had appeared in arms against the King. A reference was made by the commander of the blockading squadron to the Commander-in-chief of the forces of his Sicilian Majesty; and by his orders a vessel of war, which saluted on entering the port, conveyed this captured vessel under Neapolitan colours to the port of Malta, for the purpose of landing the prisoners here.

I must presume that this extraordinary proceeding was adopted with the humane motive of sparing the lives of deserters justly forfeited; and that if I refuse to receive them, and that they are reconveyed by the vessel of war to Sicily, that the law would take its course.

There can be no difficulty in receiving the four persons excluded from the amnesty, who are prepared to give the guarantee required by law; but there is considerably difficulty in disposing of a class of persons for whom there can be no sympathy, who deserted the flag of their country, and who may be presumed to be unfit to be at large amongst honest men.

The four Sicilians are excluded from the amnesty by name; the Neapolitan deserters are excluded by their crime. I do not feel justified in making a distinction which involves the lives of so many individuals, however detestable they may be.

There is no choice for men in the position of deserters; they cannot be allowed to go at large in this island, even if they complied with the terms of the law. I have therefore decided on landing a portion of them in the Lazaretto, allowing the remainder to remain on board the "Peloro," until I can receive an answer from General Filangieri. Captain Pelham, of Her Majesty's ship "Odin," has arrived from Palermo since I commenced this despatch, and from his report I am induced to hope that an application made to him will remove all further difficulty with regard to the deserters.

17 May, Encl. 7, page 17.

I do not feel justified in detaining the "Peloro," as she entered the port under Neapolitan colours; but if her commander and crew, who are Sicilians, choose to remain, I presume that the commander of the "Archimede" will not attempt to use force in this port either against the vessel or the crew. It is very desirable that she should remain here until I receive the answer to my letter to General Filangieri.

Trusting that your Lordship will approve my conduct in these difficult circumstances,

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 6.

Encl. 1, in No. 6.

RETURN of the PASSENGERS who arrived in *Malta* on the 16th May 1849, by the Neapolitan Steamer "Peloro" from Palermo.

NAME.	Native Country.	Profession and Rank.	REMARKS.
Gaetano Albano	Naples	Cadet.	
Filippo Affinito	ditto	ditto	With his wife.
Onofrio Positano	ditto	First Lieutenant.	
Raffaele Ventrella	ditto	Cadet.	
Bartolomeo Ingordino	ditto	ditto.	
Begnamino Romeo	ditto	ditto.	
Luigi Bitonti	ditto	Second Lieutenant	With his wife.
Antonio Piemontese	ditto	ditto	With his wife.
Costantino Carrozza	ditto	Corporal.	
Giuseppe Luciano	ditto	Second Serjeant	With his wife.
Pietro Morello	ditto	ditto	With his wife.
Giuseppe Corbi	ditto	ditto.	
Luigi Pucillo	ditto	First Serjeant.	
Michele Mangano	ditto	Corporal.	
Sebastiano Magliolo	ditto	Second Serjeant.	
Luigi Lucitelli	ditto	ditto.	
Stefano Luberti	ditto	First Serjeant.	
Giuseppe D'Agostino	ditto	Second Serjeant.	
Giuseppe Galoppa	ditto	ditto	With his wife.
Gabriele Gerardi	ditto	ditto.	
Francesco Voltura	ditto	ditto.	
Carmelo Gioja	ditto	ditto.	
Francesco Villena	ditto	Corporal.	
Giuseppe Catalaso	ditto	Serjeant.	
Anello Frasca	ditto	Corporal.	
Vincenzo Manzione	ditto	Second Serjeant	With his wife.
Raffaele Rajano	ditto	Private Soldier.	
Paolo Bartuello	ditto	Corporal.	
Francesco Napoli	ditto	Private Soldier.	
Antonio Carbone	ditto	Seller of Clothes.	
Francesco Paslatore	ditto	Serjeant.	
Vincenso di Maggio	ditto	Private Soldier.	
Santo Pisano	ditto	ditto	With his wife.

RETURN of the Passengers, &c.—*continued.*

NAME.	Native Country.	Profession and Rank.	REMARKS.
Giuseppe Rufo	Naples	Drummer.	
Domenico Russo	ditto	Private Soldier.	
Angelo Delmanto	ditto	Corporal.	
Ferdinando Marinelli	ditto	Private Soldier.	
Pietro Sposito	ditto	Corporal	With his wife.
Giuseppe Giorgetti	ditto	Private Soldier.	
Carmelo Ruffo	ditto	Corporal.	
Salvatore Surrentino	ditto	Private Soldier.	
Giuseppe di Giovanni	ditto	- - ditto.	
Germanico Viti	ditto	Ensign.	
Giuseppe Leoncavallo	ditto	ditto.	
Domenico Maschetto	ditto	Private Soldier.	
Francesco D'Arrigo	ditto	Student.	
Giuseppe Quaranta	ditto	Private Soldier.	
Antonio Ascato	ditto	- - ditto.	
Giuseppe Russo	ditto	First Serjeant.	
Matteo Messina	ditto	- - ditto.	
Roceo Natale	ditto	Corporal.	
Michele Rodigliano	ditto	Private Soldier.	
Pasquale Vassetti	ditto	Second Lieutenant.	
Dionisio Orlando	ditto	Corporal.	
Michelangelo Calco	ditto	ditto.	
Antonio Chessi	ditto	ditto.	
Pasquale de Sisto	ditto	Artilleryman.	
Nicola Murano	ditto	Trader.	
Vincenzo Desanti	ditto	Second Serjeant	With his wife.
Paolo Ruggeri	ditto	- - ditto	With his mother.
Francesco Puglia	ditto	Tailor.	
Rosario Agresti	ditto	Private Soldier.	
Achille Solitario	ditto	- - ditto.	
Filippo Tasso	ditto	First Serjeant.	
Antonio Ravano	ditto	Baker.	
Antonio Rovetto	ditto	Cook.	
Agnello Pagnano	ditto	Second Lieutenant	With his wife.
Alfonso Sangiacomo	ditto	First Serjeant.	
Liberato Magnanimi	ditto	Cadet.	
Equino di Benedetto	ditto	ditto.	
Giuseppe Castaldi	ditto	Private Soldier.	
Antonio di Serio	ditto	- - ditto.	
Giuseppe de Luca	ditto	Corporal.	
Giuseppe Prizzi	ditto	ditto.	
Andrea Lucia	ditto	Private Soldier.	
Filippo Pigione	ditto	- - ditto.	
Vincenzo Lomochiaro	ditto	- - ditto.	
Giuseppe Chiantelli	ditto	- - ditto.	
Francesco di Benardo	ditto	- - ditto.	
Giovanni Salone	ditto	Corporal.	
Giuseppe Rendarro	ditto	First Serjeant.	
Michel Angelo Lentini	ditto	Cadet	With his mother and wife.
Pasquale Giordano	ditto	Private Soldier.	
Angelo Nobile	ditto	- - ditto.	
Pietro Cerasella	ditto	- - ditto.	
Nicola Arfanaro	ditto	- - ditto.	
Castese Alzanese	ditto	Corporal.	
Antonio Raitano	ditto	Private Soldier.	
Giovanni Litano	ditto	Corporal.	
Giacomo Campanaro	ditto	Private Soldier.	
Domenico Russo	ditto	Serjeant.	
Filippo Agresto	ditto	Private Soldier.	
Vito Cavalli	ditto	Serjeant.	
Giovanni La Cavalla	ditto	Private Soldier	
Lodovico Selvidio	ditto	Corporal.	
Michele Colicchio	ditto	Private Soldier	
Francesco La Cavalla	ditto	Corporal.	
Giuseppe di Damico	ditto	Private Soldier	
Giuseppe de Luca	ditto	- - ditto.	
Francesco Capobianco	ditto	Corporal.	
Albano Barone	ditto	First Serjeant.	

RETURN of the Passengers, &c.—*continued.*

NAME.	Native Country.	Profession and Rank.	REMARKS.
Raffaele Marino	Naples	Corporal.	
Angelo Barbato	ditto	Private Soldier.	
Salvatore Conti	ditto	Drummer.	
Antonino Pugliesi	ditto	Corporal.	
Nicola Merletto	ditto	Private Soldier.	
Antonio Belsito	ditto	Servant	With his wife.
Nicola Alessi	ditto	Corporal.	
Giovanni Duranti	ditto	Private Soldier.	
Filippo Filioni	ditto	ditto.	
Florido Belsito	ditto	ditto.	
Bruno Cosentino	ditto	ditto.	
Francesco Maeri	ditto	ditto.	
Vincenzo Ventrelli	ditto	ditto.	
Giovanni Grande	ditto	ditto.	
Carlo Maurello	ditto	ditto.	
Francesco Basile	ditto	ditto.	
Nicola Pellegrino	ditto	Second Serjeant	With his wife.
Gaetano Tedeschi	ditto	Corporal.	
Amato Giovaniello	ditto	Private Soldier	With his wife.
Gabriele Menduzza	ditto	Corporal.	
Francesco Riamo	ditto	ditto	With his wife.
Angelo Giolino	ditto	ditto.	
Alessandro di Maria	ditto	First Serjeant.	
Francisco Laurito	ditto	Second Serjeant.	
Nicola Petrizi	ditto	Corporal.	
Luigi Fiscen	ditto	Cadet.	
Francesco Russo	ditto	Private Soldier.	
Francesco d'Antonio	ditto	Corporal	With his wife.
Carlo di Giovannino	ditto	ditto.	
Gaetano di Giovannino	ditto	Trumpeter.	
Giuseppe Albanese	ditto	Serjeant.	
Domenico de Sante	ditto	Private Soldier.	
Vincenzo Caputo	ditto	Corporal.	
Pietro Carteci	ditto	ditto.	
Luigi Gaudiano	ditto	Private Soldier.	
Luigini Carlini	ditto	ditto.	
Pietro Persico	ditto	Second Serjeant.	
Angelo Santo	ditto	Private Soldier.	
Gioacchino Perna	ditto	Serjeant.	
Giovanni Stabile	ditto	Corporal	With his wife.
Francesco Pisani	ditto	Private Soldier.	
Antonio Ervoli	ditto	ditto.	
Sabbato Russinito	ditto	ditto.	
Vincenzo de Santo	ditto	Second Serjeant	With his wife.
Valente Jacobelli	ditto	Private Soldier.	
Antonino Sposito	ditto	Corporal.	
Carmelo Costa	ditto	Private Soldier.	
Giuseppe Cerasella	ditto	ditto.	
Giuseppe Elia	ditto	Second Serjeant.	
Giuseppe Dové	ditto	First Serjeant.	
Pasquale Romano	ditto	Corporal.	
Francesco Bellantore	ditto	Private Soldier.	
Antonino Trattasio	ditto	ditto.	
Innocenzo Veneziano	ditto	Cadet	With his wife.
Matteo Messina	ditto	Coffee-house Keeper.	
Salvatore di Cicchi	ditto	Corporal.	
Domenico Paterno	ditto	Second Serjeant.	
Antonio Tagliaferro	ditto	Private Soldier.	
Ferdinando di Bartolomeo	ditto	ditto.	
Donato Pacitto	ditto	Corporal.	
Antonio di Pozzio	ditto	Cadet	With his wife and daughter.
Girolamo de Tullo	ditto	Private Soldier.	
Francesco de Santo	ditto	ditto.	
Antonio Catinaro	ditto	ditto.	
Alessandro Alfano	ditto	Trumpeter.	
Guglielmo Radice	ditto	Corporal.	
Angelo Sangiovanni	ditto	ditto.	
Francesco Romano	ditto	Private Soldier.	

RETURN of the Passengers, &c.—*continued.*

NAME.	Native Country.	Profession and Rank.	REMARKS.
Antonio Petrosino - -	Naples -	Corporal.	
Antonio Catinaro - - -	ditto -	Private Soldier.	
Nicolo Lussaro - - -	ditto -	- - ditto.	
Giobatti de Robertis - -	ditto -	Cadet.	
Pasquale Eberna - -	ditto -	Private Soldier.	
Francesco Bevilacque - -	ditto -	- - ditto.	
Carmelo Cantillo - - -	ditto -	- - ditto.	
Lodovico Cazaccioli - -	ditto -	Second Serjeant.	
Giovanni Ligiassi - - -	ditto -	Private Soldier.	
Francesco Ciofolo - -	ditto -	First Serjeant.	
Gennaro Lo Brano - -	ditto -	Corporal.	
Luigi Germiliano - - -	ditto -	Private Soldier.	
Giacomo Campanaro - -	ditto -	- - ditto.	
Pietro di Martino - -	ditto -	Corporal.	
Gaetano Albano - - -	ditto -	First Lieutenant.	
Matteo Spiazzi - - -	ditto -	Corporal - - -	With his wife.
Francesco Bruno - - -	ditto -	Serjeant - - -	With his wife.
Liugi Romano - - -	ditto -	First Serjeant.	
Francesco de Santis - -	ditto -	Second Serjeant.	
Domenico d'Angelo - -	ditto -	Private Soldier.	
Agostino d'Arminio - -	ditto -	- - ditto.	
Vincenzo Antonacci - -	ditto -	Serjeant.	
Salvatore Boffa - - -	ditto -	Corporal.	
Giuseppe di Rella - -	ditto -	ditto.	
Nicola Lentini - - -	ditto -	Private Soldier.	
Celestino Marsala - -	ditto -	Second Serjeant.	
Federico Piemonte - -	ditto -	- - ditto.	
Domenico Cela - - -	ditto -	Private Soldier.	
Raffaelle Pirotta - - -	ditto -	Second Serjeant -	With his wife.
Giuseppe Gelaldi - - -	ditto -	Private Soldier.	
Bernardino Scotti - -	ditto -	- - ditto.	
Raffaele de Linardis - -	ditto -	- - ditto.	
Vincenzo Flores - - -	ditto -	Cadet.	
Cosimo Cucinotti - - -	ditto -	Serjeant.	
Gio. Batta. Russo - -	ditto -	Tailor.	
Gerlando Bianchini and servant	Sicily -	General - - -	--These four persons
Vito Razona - - -	ditto -	Priest - - -	are four of those ex-
Francesco Giveni - - -	ditto -	Proprietor - -	cepted by name from
Stefano Seidita - - -	ditto -	- ditto - - -	the general amnesty.
Giovanni Corrao - - -	ditto -	Captain of Artillery.	
Gaetano Cardillo - - -	ditto -	Second Serjeant.	
Lorenzo Pignataro - -	ditto -	First Serjeant.	
Bartolomeo Marino - -	ditto -	Private Soldier.	
Giuseppe Lanzafama - -	ditto -	First Serjeant.	
Luigi Lanzafama - - -	ditto -	Private Soldier.	
Giuseppe Renalto - -	ditto -	First Serjeant.	
Domenico Grasso - -	ditto -	Cadet.	
Francesco di Blasse - -	ditto -	Private Soldier.	
Salvatore da Travesse - -	ditto -	- - ditto.	
Vincenzo Alasso - - -	ditto -	First Serjeant.	
Giuseppe Arrico - - -	ditto -	Private Soldier.	
Alessandro di Michele - -	ditto -	First Serjeant.	
Vincenzo Mantaro - -	ditto -	Private Soldier.	
Giacinto Voltura - - -	ditto -	First Serjeant - -	With his wife.
Francesco Romano - -	ditto -	Corporal.	
Salvatore di Francisci - -	ditto -	Private Soldier.	
Giacomo Bonelli - - -	ditto -	First Serjeant.	
Matteo Preto - - -	ditto -	Cadet.	
Vito Preto - - - -	ditto -	Servant.	
Pietro Pagano - - -	ditto -	Cadet.	
Filippo Minutelli - - -	ditto -	Major.	
Giovanni Cavallaro - -	ditto -	Ensign.	
Giuseppe Prunella - -	ditto -	Second Serjeant.	
Antonino Musso - - -	ditto -	Private Soldier.	
Giuseppe Saint Angelo - -	ditto -	Second Serjeant.	
Alessandro Borgia - -	Smyrna -	First Lieutenant.	
Sileno Demagistris - -	Rome -	Private Soldier.	
Francesco Mercanti - -	Venice -	- - ditto.	

(*continued*)

Return of the Passengers, &c.—*continued.*

Name.	Native Country.	Profession and Rank.	Remarks.
Luigi Rea - - - -	Venice -	Second Serjeant.	
Federico Sponza - - -	ditto -	First Serjeant.	
Nicola Cazzaro - - -	Greece -	Serjeant.	
Raffaele Zuccaro - -	Rome -	First Serjeant.	
Marco Muiz - - -	Tuscany -	Corporal.	

RECAPITULATION.

	Men.	Women.	Total.
Neapolitans - - - - -	204	28	232
Sicilians - - - - - -	31	1	32
Foreigners, neither Neapolitans nor Sicilians - - - - -	8	–	8
Total - - -	243	29	272

(signed) *Fred. Sedley*, Inspector.

Police Office, Valletta, 17 May 1849.

Enclosure 2, in No. 6.

Instructions for the Superintendence of Foreigners in the Island of *Malta*.

Encl. 2, in No. 6.

I. All matters relating to the regulation of foreigners while resident in this island rest with the executive police, and, previously to their being landed, with the marine police, under the immediate control of Government.

II. The following rules on this head are to be observed in future:

1st. All foreigners, on landing in this island, must immediately report themselves to the Intendant of Marine Police or his assistant, who will register their names and forward them on to the office of the Inspector-general of Police; unless they oe persons of high distinction, when they will report themselves to Government direct.

2d. No foreigners of any description coming to this island as passengers on board of any vessel, will be allowed to remain, unless they can procure sufficient security here for their good behaviour and for their not becoming a burthen upon this Government; such security to be given bv the Consul of the nation to which they may belong, or by some respectable housekeeper resident in the island, or by the master of the vessel in which they came, provided they mean to return on board the same vessel when she leaves the port.

3d. This security must be in a form prescribed by Government, and be deposited in the office of the Inspector-general of Police.

4th. Any master of a vessel who may bring passengers of the above description, and land them, or allow of their being landed, without submitting to the above-mentioned conditions, will be obliged to take them back in his own vessel, or to send them back at his own expense, besides paying for their maintenance until an opportunity offers for so doing.

5th. All masters of foreign vessels will be further liable for any foreign seamen, or *marinari di rinforzo*, on board of their ships, and if any such foreigners shall be landed in this island and left behind, without being able to give sufficient security for their good conduct, &c., they will be detained until an opportunity offers of sending them off the island, at the expense of such master of the vessel; and all masters of Maltese or English vessels will also be liable in the same manner for such foreign seamen, or *marinari di rinforzo*, beyond the complement allowed by law, who may be on board their vessels.

6th. Any person who shall give security for any foreigners, as above alluded to, will be subject, in the event of such foreigners having no honest means of livelihood, and becoming a charge upon Government, to defray the expense of maintaining the said persons until an opportunity offers of sending them back to their own country, as well as the expense of their passage, and any arrears of police dues they may owe to Government.

7th. Any inn or tavern-keeper, or other person whatsoever, receiving into their houses foreigners not being provided with a regular permit from the police, will be liable to the same penalties and charges as are mentioned in the last paragraph.

8th. These regulations will only be acted upon with reference to foreigners who may hereafter arrive in this island; but with regard to those at present here, should complaint be made against any of them, they will be instantly called upon for such securities as above-mentioned;

mentioned; and unless they can procure the same, they will be forthwith sent out of the island.

9th. The Inspector-general shall take care that all foreigners permitted to reside here, submit to the existing laws and regulations concerning them, and shall cause them to pay the duties established by Government.

10th. Foreigners having letters of denization, or who may have served his Majesty faithfully, either in the navy or army, for a certain period, to be settled by Government; pensioners, from the army and navy; friars; individuals, under the age of twenty-one years, forming a family whose head pays, or is duly exempted from payment; and negroes who have been baptised, will be exempt from police dues, and will be furnished with a certificate to that effect.

11th. No foreigner will be called upon to pay the police dues for residence, unless his stay within the island should exceed two months.

By command of his Honour the Lieutenant-governor,

Palace, Valletta, 1 January 1818.

(signed) *Richard Plaskett,*

Chief Secretary to Government.

Enclosure 3, in No. 6.

ORDERS given to the Commander of the "Archimede."

(Translation.)

Commandant, Off Palermo, 15 May 1849.

YOU will, with the ship under your command, give prompt and punctual effect to what is enjoined by his Excellency the General-in-chief, through the authoritative letter of which a transcript follows:— Encl. 3, in No. 6.

"You will direct the 'Archimede' to escort the 'Peloro' steamer to Malta, and after having left there the fugitives who are on board the same, the said frigate, together with the 'Peloro,' will repair to Messina to take on board all the articles of clothing left there by the corps which are now at Palermo and its neighbourhood, as well as the detachments of the same corps which are to join the latter, whether because they were discharged from the hospitals or because they arrived from Naples.

"As the 'Archimede' passes before Syracuse, continuing to escort the 'Peloro,' she may enter that port to receive the men cured in that military hospital, as belong to the battalions of Chasseurs and the regiments of the 1st and 2d division."

The Captain of the First Class, Superior Commandant,

(signed) *Vincenzo Lettieri.*

Enclosure 4, in No. 6.

Baron *Riso* to M. *Vincenzo Bugeia.*

(Translation.)

Dear Vincenzo, Palermo, 14 May 1849.

THE bearer hereof will be Signor Bitonti, who proceeds to Malta with all the Neapolitan deserters, to whom, according to the annexed note, you will pay the sum of 898 ounces, distributing the same in the manner set forth in the said note; and in making the distribution you may avail yourself of the assistance of the said Bitonti, to avoid mistakes. Encl. 4, in No. 6.

The number of the individuals is 224, between officers and men.

You will supply the steamer "Peloro," on board of which the said deserters proceed, with 250 quintals of coals, for the return voyage.

The amount of the said coals, as well as the sum of 898 ounces to be distributed as above, is in my possession, and therefore when convenient, send me the account, including the cost of the brig "Pietro," bought by you; you will further state to me to whom I am to pay the same, having the goodness not to delay in sending me the said account for my information.

Adieu, with the usual friendship.

Yours, &c.

(signed) *Riso.*

Enclosure 5, in No. 6.

Il Magistrato Municipale di Palermo al Popolo.

Encl. 5, in No. 6. Nell' annunziare l'atto di generalissima amnistia di tutti i reati comuni di qualunque natura pervenuto oggi stesso alle ore 10 e mezza il Municipio per garenzia di quello, che manifesta si fa un dovere di prevenire tutti i Cittadini, che il detto atto di amnistia è stato participato per canale del Console Francese.

Siciliani,

S. M. il Re N. S. animata sempre dal sentimento di portare a questa parte de' suoi Reali Dominî una pace completa ed un balsamo che sani le piaghe che l'hanno sì crudelmente afflitta per sì lunghi mesi, è venuta nella spontanea magnanima determinazione di amnistiare tutti i reati comuni di qualunque natura commessi sino al giorno d' oggi.

Quest' atto generoso della sovrana munificenza non potrà non iscuotere dal fondo del petto le anime più dure, e ridurre sul sentiero dell'onore e dell'onestà tutti coloro che lo aveano smarrito. Quest' atto che la storia registrerà tra i fatti più magnanimi dell'umanità raccoglierà intorno al trono del migliore dei Principi tutti i suoi sudditi, dei quali non ha egli desiderato che la pace, la prosperità, fondata non sulle chimere ma sui bisogni reali della società e sulle leggi di Dio.

S. M. vuole però essenzialmente che questa amnistia si abbia come non data e non avvenuta per coloro i quali torneranno a delinquere. Rientrino dunque tutti alle loro case sicuri e tranquilli, attendano ai loro antichi uffizî, vivano da fedeli sudditi e da onesta gente, e non abbiano più nulla a temere sotto la parola del sovrano perdono—Ma se taluno commetterà novello reato, allora alla nuova pena vi si dovrà congiungere quella che dovea espiare. Il che la Maestà del Re S. N. non vuol temere che avvenga; poichè non vi sarà nissuno, il quale dopo tanto soffrire non senta tutta la forza del Sovrano beneficio.

A togliere anche ogni equivoco ed a rinfrancare meglio gli spiriti è carissimo al mio cuore il far conoscere, che nell'atto di amnistia, già pubblicato a 22 Aprile ultimo in Catania non ho inteso dare doppia e varia significazione alle parole di autori e capi della rivoluzione, che debbono essere esclusi dall'atto della sovrana beneficenza, sibbene una sola, che colpisce unicamente quelli che architettarono la rivoluzione, e sono stati la funesta cagione di tutti i mali che hanno travagliato Sicilia.

Misilmeri, 7 Maggio 1849.

Il Tenente Generale Comandante in Capo il corpo dell' Esercito e la squadra destinata alla spedizione della Sicilia.

Carlo Filangeri, Principe di Satriano.

Copia di Lettera diretta dal Principe di Satriano al Console della Repubblica Francese in Sicilia a Palermo.

Monsieur le Consul, Misilmeri, le 7 Mai 1849.

Le Lieutenant-colonel Nunziante qui n' a pû joindre S. M. qu'à Velletri est porteur de l'amnistie générale et sans exception que l'on attendait de sa munificence.

Puisse cet acte de générosité dont les exemples sont rares dans l' histoire de tous les temps preserver Palerme des maux affreus dont cette Ville est menacée, et je vous serais trés-reconnaissant si vous vouliez bien en donner communication officielle à tous les Consuls résidants à Palerme ainsi qu' à Monsieur Rayneval.

Agréez l'assurance de ma considération la plus distingué.

Le Lieutenant Gen. Commandant en chef,

(signé) *Prince de Satriano.*

Signor Console, Misilmeri, il 7 Maggio 1849.

Il Tenente Colonnello Nunziante il quale non ha potuto raggiungere S. M. che a Velletri è il portatore dell'amnistia generale e senza eccezione, che si attendeva dalla sua munificenza.

Possa quest'atto di generosità i di cui esempi sono rari nell'istoria di tutti i tempi, preservare Palermo de' terribili mali da cui è minacciata questa città, e vi sarei riconoscentissimo se vorrete darne comunicazione officiale a tutti i Consoli residenti in Palermo non che al signor di Rayneval.

Gradite l'assicurazione della mia considerazione la più distinta.

Il Tenente Generale Comandante in capo,

Firmato *Principe di Satriano.*

Enclosure

Enclosure 6, in No. 6.

AVVISO.

Ritornata la Commissione composta dagl' infrascritti individui che da questo Municipio fu nello scorso giorno spedita a S. E. il Signor Principe di Satriano residente in Misilmeri ha fatto il seguente rapporto col quale ha annesso un notamento originale di tutte le persone che vanno escluse dalla generale amnistia. Encl. 6, in No. 6.

Signor Pretore, Palermo, 11 Maggio 1849.

IN discarico della nostra missione affidataci lo scorso giorno, dopo gravissimi stenti ebbimo il bene di ottenere da S. E. il Principe di Satriano il notamento distinto di tutte le persone che debbono intendersi escluse dall' amnistia generale, che originalmente le accludiamo.

La Commissione—Camillo Milana, parroco di S. Croce; Bartolommeo Faja, parroco di S. Nicolà la Kalsa; Michele Artale, Vincenzo Grifone, Andrea Patorno, Raffaele Tardi, Salvatore Piazza, Giuseppe Auriemma.

Nomi di coloro i quali vanno esclusi dall' amnistia del general perdono che S. M. il Re N. S. concede a' suoi sudditi Siciliani pubblicati dal Tenente Generale il Principe di Satriano nel real nome il 22 Aprile 1849 in Catania e 7 Maggio detto anno in Misilmeri.

1. D. Ruggiero Settimo.
2. Duca di Serradifalco.
3. Marchese Spedalotto.
4. Principe di Scordia.
5. Duchino Della Verdura.
6. D. Giovanni Ondes.
7. D. Andrea Ondes.
8. D. Giuseppe La Masa.
9. D. Pasquale Calvi.
10. Marchese Milo.
11. Conte Aceto.
12. Abbate S. Ragona.
13. Giuseppe La Farina.
14. D. Mariano Stabile.
15. D. Vito Beltrani.
16. Marchese di Torrearsa.
17. Pasquale Miloro.
18. Cav. D. Giovanni S. Onofrio.
19. Andrea Mangerua.
20. Luigi Gallo.
21. Cav. Alliata, quello spedito in Piemonte.
22. Gabriele Carnazza.
23. Princ. Di S. Giuseppe.
24. Antonino Miloro.
25. Antonino Sgobel.
26. D. Stefano Seidita.
27. D. Emmanuele Sessa.
28. D. Filippo Cordova.
29. Giovanni Interdonato.
30. Piraino di Milazzo.
31. Arancio di Pachino.
32. D. Salvatore Chindemi di Catania.
33. Barone Pancali di Siragusa.
34. D. Giuseppe Navarra di Terranova.
35. D. Giacomo Navarra di Terranova.
36. D. Francesco Cammarata di Terranova.
37. D. Carm. Cammarata di Terranova.
38. D. Gerlando Bianchini di Girgenti.
39. D. Mariano Giojeni di Girgenti.
40. D. Francesco Giojeni di Girgenti.
41. D. Giovanni Gramitto di Girgenti.
42. D. Francesco de Luca di Girgenti.
43. D. Raffaele Lanza di Siragusa.

Misilmeri, 11 Maggio 1849.

Il Tenente Generale Comandante in capo il corpo di Esercito della Reale Squadra.
Firmato, *Principe di Satriano.*

Il Municipio si affretta rendere noto tutto ciò al pubblico per la intelligenza.

Palermo, 11 Maggio 1849. Per il Pretore,
Antonio Chiaramonte Bordonaro.

Enclosure 7, in No. 6.

The Governor of Malta to Prince *Satriano.*

(Translation.)

Sir, Malta, 17 May 1849.

THE "Peloro" arrived in this port yesterday, having on board a considerable number of deserters from the Neapolitan flag, under the care of the war-steamer "Archimede." Encl. 7, in No. 6.

I presume that it was through motives of humanity that your Excellency permitted the "Peloro" to proceed to Malta with the subjects of his Majesty the King of the Two Sicilies, and in the anxious wish to forward your Excellency's benevolent desires, I have allowed them to remain in the lazaretto of this island, and on board the "Peloro," until I receive an answer to this communication.

Your Excellency must be aware that so large a number of persons, placed in their circumstances, cannot obtain a residence or maintenance in this island; their temporary admission is intended by me as a mark of respect to your Excellency, and to afford time for an appeal to your Excellency's generosity, in the hope that you will extend the amnesty so generously granted to the Sicilians, to the misguided men who arrived in the "Peloro," and enable me to send them to their country under the guarantee of your Excellency.

Accept, &c.
(signed) *R. More O'Ferrall,*
Governor of Malta.

— No. 7. —

(No. 61.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 18 June 1849, No. 25, page 64.)

Malta, 25 May 1849.

No. 7.
The Right Hon. R. More O'Ferrall to Earl Grey. 29 May 1849.
* Page 9.
† Page 17.

My Lord, (Received, 5 June 1849).

WITH reference to my despatch No. 56,* of the 17th instant, I have to report that the Commander of the "Archimede" sailed from this port on the 18th May with my letter† to Prince Satriano, leaving the "Peloro." The four Sicilians excluded from the amnesty having complied with the terms of the law, have been allowed to land. The sick and women on board the "Peloro" have been allowed the accommodation of a part of the lazaretto, the others remain on board, and have been provisioned by the merchant in charge of the funds remitted by Barone Riso. He endeavoured to procure a vessel to take them to Constantinople, but the Consul of the Porte has received directions not to grant passports to any such persons; and hitherto it has not been possible to procure a vessel for any port. I hope in a few days to receive an answer from Prince Satriano.

I have, &c.

(signed) *R. More O'Ferrall.*

— No. 8. —

(No. 63.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

No. 8
The Right Hon. R. More O'Ferrall to Earl Grey. 29 May 1849.

(Answered, 18 June 1849, No. 25, page 64.)

Malta, 29 May 1849.

My Lord, (Received, 5 June 1849.)

I HAVE the honour to enclose herewith a translation of a letter which I have received from the Prince of Satriano, dated the 24th instant, in reply to my letter to him, a translation of which accompanied the despatch which I addressed to your Lordship under the last-mentioned date, No. 56.*

24 May 1849.

* Page 9.

On the receipt of the Prince's letter I communicated to the Consul-general for the Two Sicilies resident in Malta, that when he had procured a vessel to embark the Neapolitan deserters, the steam-vessel "Peloro" might return to Sicily; but that as the laws of Malta require that vessels bringing passengers who are not permitted to land must take them again from the island, I could not relieve the "Peloro" from that obligation until he had substituted another vessel in her stead.

I understand that the Consul has succeeded in obtaining a vessel, which will be ready to sail shortly.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure in No. 8.

Prince *Satriano* to Governor *R. More O'Ferrall.*

(Translation.)

Encl. in No. 8.

Sir, Palermo, 24 May 1849.

I AVAIL of the first opportunity which is afforded to me by the extreme courtesy of the officer commanding the English naval station before Palermo, to reply to the letter which your Excellency was pleased to address to me under date of the 17th instant.

Your Excellency has perfectly understood the motive which had influenced my permitting and facilitating the egress from Sicily of those persons who, instead of adhering to their oath and remaining faithful to the royal colours, had deserted them and taken service in the ranks of the rebels who were making war against their lawful Sovereign.

Those persons, condemned to death by the military codes of all nations and of all times, were naturally excluded from the general amnesty granted by the King to the Sicilians; and were I to meet them anywhere in the territory of the kingdom of the Two Sicilies, I could not, with due regard to the honour and discipline of the corps of the army under my

my command, forbear to subject them to be tried by a court-martial to be instantly assembled, which to them would be tantamount to a sentence of capital punishment.

I therefore earnestly entreat your Excellency, for the sake of humanity, to spare me the immense pain of performing so terrible a duty; and if your Excellency should think that those fugitives cannot be retained in Malta, then I beg you to interpose your good offices with, and request on my part, his Excellency Admiral Parker, to the effect that he would send them to Egypt or Algeria, or to any other place which might be deemed most convenient, and where they might be sure to obtain permission to land and remain.

Our King's Consul would take on himself to charter for the purpose a sailing vessel, as the "Peloro," steamer is needed by me here; and, therefore, I beg that you will direct her commander to return to Palermo without the least delay, receiving on board Signor Pietro Antonio Cafiero, who has requested me to afford him a free passage to Palermo.

Accept, &c.

(signed) *Prince di Satriano.*

— No. 9. —

EXTRACT of a LETTER from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Extract.) Malta, 2 June 1849.

No. 9. The Right Hon. R. More O'Ferrall to Earl Grey. 2 June 1849.

"I HAVE the pleasure to inform you that I have at last got rid of the Neapolitan deserters, who sailed last night for Algiers under the flag of Jerusalem, which the French protect. I was most anxious that they should not sail in a vessel under our flag, for there were two Neapolitan steamers of war in the port, who came a few days since (and it is possible) with some evil intent, which it would be disagreeable to be obliged to punish. The "Peloro" is now released to proceed where she pleases; I was enabled to detain her under a clause of the Ordinance forwarded with my despatch. I beg leave again to call your Lordship's attention and entreat a decision of the question, whether Malta is to be the refuge of the outcasts of all adjoining countries. It imposes upon me a responsibility full of difficulty, which if not necessary for British purposes I would most willingly escape. It would be presumptuous in me to suggest the many reasons which suggest themselves for a different policy as regards countries in revolution. I confine myself solely to the interests and safety of this island, and I do not hesitate to say, that in the present state of Europe, the events we have witnessed, and the events that may be impending, that it is not safe to have within the fortifications 500 or 600 men of desperate fortunes, who may come or who may be sent to facilitate a surprise. * * * There is no danger from the population, they are sound and loyal; but your Lordship must be aware of the corrupting influence of foreign adventurers on the minds of young men, and that the best disposed may be corrupted. A former letter suggests that instructions may be sent to Ministers and Consuls not to grant passports to refugees for Malta, and instructions to myself not to allow foreigners to reside more than a certain number of days in transit to the East. There are some here I would be glad to see away, but as they do no act of which I can complain, it is invidious to single them out on private information. It is also objectionable to exercise the power of expulsion against individuals, a power so very liable to abuse."

— No. 10. —

(No. 69.)

COPY of a DESPATCH from Governor *R. More O'Ferrall* to Earl *Grey*.

(Answered, 7 July 1849, No. 173, page 64.)

Malta, 11 June 1849.

My Lord, (Received, 28 June 1849.)

No. 10. The Right Hon. R. More O'Ferrall to Earl Grey. 11 June 1849.

AFTER the publication of the amnesty at Palermo I expressed to the Neapolitan Consul here my anxious wish that he should facilitate the return of Neapolitans and Sicilians to their own country. He informed me that he had received orders

orders from the Prince of Satriano not to grant passports to the persons then at Malta.

It occurred to me that there might be sufficient reasons for this restriction for a short time, until the authority of his Majesty the King of the Two Sicilies was fully established in Sicily; but finding the restriction prolonged and extended to nearly all indiscriminately, and that 150 persons of respectability had recently demanded passports and had been refused, I addressed a letter to the Consul on the 8th instant, of which I have the honour to transmit a copy, together with a copy and translation of the letter which I received from him in reply, dated the 9th instant.

Enclosure 1.
Enclosure 2.

On the arrival of a steam-vessel from Sicily on the 10th instant, I have been informed verbally, that the Prince of Satriano has permitted passports to be given to 22 families, and further promises to consider the list sent to him, and to give further permission.

I submit to your Lordship whether it is right that the Prince of Satriano should exercise such a jurisdiction at Malta, and so punish unfortunate families of great respectability, many of whom sought refuge here merely to avoid the scenes of war with which Sicily was threatened, and are neither excluded from the amnesty nor in any way compromised in the late troubles. I will, by the next mail, request Mr. Temple to make a complaint at Naples, and I trust that this course of proceeding will meet with your Lordship's approbation.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 10.

Mr. *Lushington* to the Sicilian Consul-general.

Sir, Chief Secretary's Office, Valletta, 8 June 1849.

Encl. 1, in No. 10. I AM directed by the Governor to state to you, that it has been reported to his Excellency that you have refused passports to a large number of the subjects of his Majesty the King of the Two Sicilies to enable them to leave Malta, while other subjects of his Majesty have departed in the steam-vessel "Indipendente," on the 4th instant, thereby converting this island into a place of detention at your will and pleasure.

His Excellency will transmit a formal complaint of such proceeding to Her Majesty's Minister at Naples, and he wishes to be informed whether you have so acted under the orders of the Government of Naples.

I have, &c.

(signed) *Hen. Lushington,*
Chief Secretary to Government.

Enclosure 2, in No. 10.

The Sicilian Consul-general to Mr. *Lushington.*

(Translation.)

Sir, Malta, 9 June 1849.

Encl. 2, in No. 10. BY your esteemed letter of the 8th instant you acquainted me that you had been directed by his Excellency the Governor to inform me that it had been represented to his Excellency that I had refused passports to a great number of subjects of His Majesty the King of the Kingdom of the Two Sicilies, to enable them to leave the island, whilst other subjects of his said Majesty took their departure for Sicily by the steamer "l'Indipendente," on the 4th instant; the which induces his Excellency to suppose that I am intent upon making this island a place of detention at my pleasure for some of the subjects of his Sicilian Majesty.

Moreover, you add, always on the part of his Excellency, that a formal complaint will be forwarded by his Excellency to Naples, against such proceedings; and lastly, you require to be made acquainted whether the manner in which I have acted in the matter is conformable to orders received from my Government.

In reply I do myself the honour to declare to you, for the information of his Excellency, that the supposition that I am intent upon making this island arbitrarily a place of detention for some of the subjects of his Majesty the King my august master, neither has nor could have the least foundation, as is undoubtedly evinced by the passports issued by me to the greater part of the passengers by the "Independente," as well as afterwards to many other of the King's subjects; which documents were all *visé'd* for foreign parts, and especially for Leghorn, Genoa and Tunis, but not for the realm. As my instructions do not prevent my issuing

issuing passports for any foreign country whatever, I, whenever applied to by any of the King's subjects, shall always be ready to grant such passports. The which (it is fitting to repeat it) shows the manifested opinion, that I was intent upon making Malta at my pleasure a place of detention for some of the subjects of his Sicilian Majesty, to be unfounded.

I add in conclusion, that as no instructions have yet reached me in reference to documents to be issued to the King's subjects who may be desirous to return directly to the realm, except in regard to a very limited number of individuals, the moment the same reach me I shall, as in duty bound, conform to the orders which I shall receive.

I have, &c.

(signed) *Giuseppe Ramirez.*

—No. 11.—

(No. 80.)

No. 13.
The Right Hon. R. More O'Ferrall to Earl Grey.
10 July 1849.

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey.*

Malta, 10 July 1849.
(Received, 30 July 1849.)

My Lord,

I HAVE the honour to transmit to your Lordship copies of two letters dated respectively the 12th and 30th ultimo, which I addressed to Mr. Temple, relative to the Sicilian refugees at Malta, together with a copy of his Excellency's answer to the first of those letters, dated Naples, 3 July 1849, and to recommend these unfortunate persons to the good offices of Her Majesty's Government. Their conduct at Malta has been most exemplary, so much so that the main inconvenience in their remaining here is that which they themselves suffer, by a separation from their families, and the necessity of existing on very restricted means.

Encl. 1, page 21.
Encl. 2, page 22.
Encl. 3, page 22.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 11.

Governor the Right Honourable *R. More O'Ferrall* to the Honourable *W. Temple.*

Sir,

Palace, Valletta, 12 June 1849.

YOUR Excellency is already aware that recent events in Sicily have led to the presence in Malta of a large number of refugees from that island. Encl. 1, in No. 11.

The amnesty recently granted by his Majesty the King of the Two Sicilies led to the expectation that the greater number of these persons would be shortly enabled to return to their own country. Many of them, including persons who have taken no part in the late revolution, have applied to the Consul of his Majesty the King of the Two Sicilies for passports to enable them to do so, but have in all but a very few cases been met with a refusal. In consequence, they find themselves obliged to remain in Malta, to the practical neutralizing of the provisions of the amnesty, and the great inconvenience of this Government.

On being applied to for an explanation of his conduct, the Consul states that he has acted in accordance with the express orders of his Government, having been directed to give passports only to a small number of persons specified to him by name; and that accordingly he cannot give passports to any others without further instructions.

I request your Excellency to bring these circumstances to the knowledge of his Majesty's Government, and urge the necessity of such instructions being sent to the Consul as shall at once give effect to the provisions of the amnesty, and relieve the Government of this island from the great and increasing inconvenience caused by the presence of so many foreigners, admitted solely from motives of humanity.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 2, in No. 11.

Governor the Right Honourable *R. More O'Ferrall* to the Honourable *W. Temple.*

Sir, Palace, Valletta, 30 June 1849.

Encl. 2, in No. 11. WITH reference to my letter of the 12th instant, I have to inform your Excellency that some Sicilians who had returned to Sicily from Malta, after remaining a few days with their families, have been compelled to quit Sicily, and have returned to Malta. Many of these unfortunate persons have become destitute, and others have prayed for admission to the hospitals. It is usual for the Consuls of countries where British subjects are not relieved free of expense in their hospitals, to be required to defray the expense of their countrymen in the hospitals of Malta. According to this rule, the Consul of his Majesty the King of the Two Sicilies has been recently required to defray the expense of a Neapolitan in the hospital, which he has refused to do, although in the case of a person detained in this island by his Government. I will feel much obliged to your Excellency to represent these circumstances to the Government of Naples. During the whole period of the troubles in Sicily and Naples, every care and attention has been paid to the faithful subjects of his Majesty who found it necessary to take refuge in this island, and no facilities or encouragement has been given directly or indirectly to those who resorted to Malta with evil intentions. Within the last three months we have had 700 refugees resident in this island. Their behaviour has been such as to satisfy me that no Government can justly apprehend any inconvenience from allowing them to return to their native country: but I need not point out to your Excellency how much reason this Government has to complain of being encumbered with so large a number of the subjects of his Majesty the King of the Two Sicilies, after the termination of all troubles, and the proclamation of an amnesty, which by the refusal of his Majesty's Government to permit those persons to return is practically nullified.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 3, in No. 11.

EXTRACT of a Letter from the Honourable *W. Temple* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Naples, 3 July 1849.

Encl. 3, in No. 11. "I HAVE received your Excellency's communication of the 12th ultimo, requesting me to call the attention of the Sicilian Government to the refusal of their Consul at Malta to grant passports to the Sicilian refugees in that island, thereby neutralizing the effect of the amnesty which had been promised to all Sicilians with the exception of 43 persons who were specifically excluded by name; and to urge upon the Government the necessity of sending such instructions to the Consul as may at once give effect to the provisions of the amnesty.

"I accordingly addressed a note to his Excellency Prince Cariati, of which the enclosed is a copy,* transmitting to him a copy of the communication which you had addressed to me, and I have received an answer from his Excellency, a copy† of which I also enclose.

"Your Excellency will see that Prince Cariati states that the reason which prevents this Government from allowing the Sicilian refugees to return to their homes, is to save them from being exposed to the penalties which they would incur by law, were they to return, as he says that the amnesty granted to all Sicilians does not include those persons who voluntarily absented themselves from Sicily.

"This proposition appeared to me to be so extraordinary, that I called upon Prince Cariati, and showed him a copy of the proclamation issued by Prince Satriano at Palermo on the 17th of May, in the name of the King, in which he declares that the amnesty is to be extended to all Sicilians, with the exception only of those persons named in a list appended to it, and inviting at the same time all persons who were absent to return to their homes, to resume their former occupations, and to confide in the royal promise of pardon.

"I have, &c.

(signed) "*W. Temple.*"

* 20 June 1849, page 22.

† 27 June 1849, page 23.

Enclosure 4, in No. 11.

The Honourable *W. Temple* to Prince *Cariati.*

Prince, Naples, 20 June 1849.

Encl. 4, in No. 11. I HAVE the honour of enclosing to your Excellency the copy of a despatch which I have received from Mr. More O'Ferrall, the Governor of Malta, in which his Excellency states that the amnesty which his Sicilian Majesty had been graciously pleased to grant to his Sicilian subjects, with the exception of those whose names had been inserted in a special list, has been hitherto rendered in Malta almost nugatory by the refusal of his Majesty's Consul there to grant passports, except in a very few instances, to those Sicilians who were desirous of returning to their own country, many of whom had taken no part in the late revolution.

revolution. He states that the reason for this refusal is, that he had received express orders to give passports only to a very limited number of individuals, specified by name, and to no others, without further orders from his Government.

Mr. O'Ferrall has requested me, therefore, to bring these circumstances to the knowledge of his Sicilian Majesty's Government; and being persuaded that it is the intention of his Sicilian Majesty to cause the promises which have been made in his name to his Sicilian subjects to be fully executed, I doubt not but that such instructions will be sent to his Majesty's Consul at Malta as will give effect to the amnesty, and relieve the Maltese Government from the inconvenience occasioned by the presence of so many Sicilians, who are most anxiously waiting to be restored to their homes through the beneficent influence of his Majesty's clemency.

I have, &c.

(signed) *W. Temple.*

Enclosure 5, in No. 11.

Prince *Cariati* to the Hononourable *W. Temple.*

(Translation.) Naples, 27 June 1849.

THE undersigned, &c., has received the note which, under date of the 20th instant, his Excellency the Chevalier Temple was pleased to address to him, and by which, in transmitting the copy of a despatch from the Governor of Malta, he solicited the recall to their country of many of the King's subjects who had left the kingdom in consequence of the unfortunate events which Sicily was subjected to during last year and the beginning of the present. Encl, 5, in No. 11.

He has not failed to consider duly the grounds stated for the purpose as well by the Governor as by his Excellency; but he finds himself compelled to abstain from adhering to their respective wishes as he could have desired; and he is confident that his Excellency will appreciate the just motives which constrain the King's Government to withhold permission to the exiles now in Malta to return to the realm. These motives are grounded on the consideration of avoiding the trials to which those persons must be subjected, and which would necessarily call for the infliction on them of the punishments awarded by the laws now in force. Nor could it be of avail to them to invoke the benefit of the amnesty granted on the part of the Sovereign to all the Sicilians; for the same is not applicable to those individuals who voluntarily absented themselves from the King's dominions.

The undersigned, in conveying this reply to his Excellency, deems it fitting to subjoin, that should the Governor of Malta deem it indispensable to send away from that island the King's subjects alluded to, he may in such case furnish them with passports from himself for any other place, this realm excepted.

The undersigned, &c.

(signed) *The Prince of Cariati.*

—No. 12.—

(No. 82.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey.*

Malta, 12 July 1849.

My Lord, (Received, 30 July 1849.)

No. 12.
The Right Hon. R. More O'Ferrall to Earl Grey. 12 July 1849.

ON the 9th instant Her Majesty's steam-vessel "Bulldog," Commander Key, anchored in the harbour of Valletta, and reported that he had conveyed General Avezzana and two persons, called his secretaries, named Reta and Pelligrini. Having heard from the Vice-Admiral Commander-in-Chief that he approved of the act of Commander Key in bringing them to Malta, I granted them permission to land, on the understanding that they would depart by the first opportunity. If they should attempt to violate the understanding on which they were received, I shall not fail to enforce their departure, in conformity with your Lordship's instructions.

I have, &c.

(signed) *R. More O'Ferrall.*

—No. 13.—

(No. 85.)

EXTRACT of a DESPATCH from Governor the Right Honourable *R. More O' Ferrall* to Earl *Grey*.

(Answered, 20 September 1849, No. 191, page 65.)

Malta, 17 July 1849.
(Received, 24 July 1849.)

No. 13.
The Right Hon. R. More O'Ferrall to Earl Grey. 17 July 1849.

"I HAVE the honour to inform your Lordship that the French Government steam-vessel "Lycurgue," commanded by Lieutenant Giraud, arrived in this harbour on Sunday the 15th instant, from Civita Vecchia, with 124 persons on board. The greater part were furnished with passports by the American and English Consuls at Rome, for America and England, and some for Malta.

"On the morning of the 16th instant, a Greek brig arrived also from Civita Vecchia, with 53 persons on board.

"All these persons have claimed permission to land.

"I had an interview with the French Consul and the commander of the "Lycurgue," and explained to them that it was impossible to permit so many persons to enter the town, without some guarantee that they possessed the means to prosecute their voyage by the "Ripon" to Southampton, which vessel was expected every hour, and that I could not permit them to make Malta their residence.

"The French Consul did not feel authorized to give any such guarantee, neither would any of the other Consuls. He stated that he would willingly send them to any port where they would be received, but he knew of none, and had received orders not to grant passports to refugees to enter France. I suggested to him that he might send them to Constantinople by the French steamer "Sesostris," which vessel was to sail the same evening at 9 o'clock; but the Turkish and Greek Consuls refused to *visé* the passports.

"I inquired from Lieutenant Giraud if he was aware of danger to the life or liberty of the passengers, if they had remained at Civita Vecchia. He answered he was not aware of any such danger, and that many of them would willingly return there.

"It was proposed by the French Consul and Lieutenant Giraud, that they might be allowed to land the passengers at the Lazaretto. I informed them that I had no power to detain the passengers in the Lazaretto, as the vessel had come here in free pratique, and by allowing them to land at all, the vessel would be released from the legal obligation to take them away, and that those persons without means would become a charge on the island either for their maintenance or their conveyance elsewhere. I further informed the French Consul, that I would send the quarantine physician on board the "Lycurgue," to examine the state of health of the passengers, and would grant permission to land to all persons whose health required care on shore, and that no objection would be made to the landing of any women or children who might be on board.

"The French Consul and the French officer have acted with great temper and moderation in very difficult circumstances. They have reason to apprehend dangerous consequences to the safety of the vessel were she to leave this port without protection; one of the refugees having stated to the Consul that he would blow up the magazine if he was detained on board. The guard boats are therefore directed to keep watch near the vessel at night, and the Consul has requested Vice-Admiral Sir William Parker to send a steamer to Naples to request assistance from the French Admiral to convey the "Lycurgue" and her passengers back to Civita Vecchia.

"I enclose lists descriptive of the persons."

Encl. 1, page 25.
Encl. 2, page 26.

Enclosure 1, in No. 13.

LIST of the PASSENGERS who arrived at *Malta* on the 16th July 1849, from *Civita Vecchia*, by the Greek Brig "Ruben, *G. Ruben*, Master, showing the Country to which they belong, their Profession, what Passports they have, whether those Passports have any visa of a British Consular Authority, and their Destination.

NAMES.	Country to which they state they belong.	Profession.	Passports, where and by whom given.	Whether with a Visa of a British Consul.	Destination.
Francesco Carlotti	Verona	Barber	By H.B.M.'s Consular Agent at Rome.	Visa of the British Vice-consulate at Civita Vecchia.	Malta and London.
Jean Baptiste Mor	Brescia	Clergyman	ditto	No visa by any British Consular authority.	London.
Rinaldo Andreini	Bologna	Physician	ditto	Visa of the British Vice-consulate at Civita Vecchia.	Malta and London.
Alexandre Stefanoni	Mantua	Student	ditto	ditto	ditto.
Achille Poliani	Lodi	Proprietor	ditto	ditto	ditto.
Charles Caldirola	Monza	Student	ditto	ditto	ditto.
Joseph Defes	Naples	Officer and painter	ditto	ditto	ditto.
Franco. Savo. Sarao	ditto	Lawyer	ditto	ditto	ditto.
Mich. Ango. Coelli	Verona	Baker	ditto	ditto	ditto.
Ippolito Lepri	Rome	Sculptor	ditto	No visa by any British Consular authority.	Malta.
Pierre Pagliani	ditto	Tailor	ditto	ditto	London.
Ernest Modroni	Milan	Student	ditto	ditto	Malta.
Joseph Bertolesi	Verona	Metal founder	ditto	ditto	ditto.
Pierre Lago	Vicenza	Armourer	ditto	ditto	ditto.
Henry del Corso	Tuscany	Tailor	ditto	ditto	ditto.
Orace Antinori	Perugia	Architect	ditto	ditto	ditto.
Austino Cerqua	Naples	Lawyer	ditto	ditto	ditto.
Marcellus Brescianini	Brescia	Advocate	ditto	ditto	ditto.
François Pieri	Rome	Sculptor	ditto	ditto	ditto.
Vincent Tartagli	Tuscany	Servant	ditto	ditto	ditto.
Armotio Fabricatore	Verona	Shoemaker	ditto	ditto	ditto.
Frederico Doda	Venice	Doctor of Laws	ditto	ditto	ditto.
Louis Dreosti	Treviso	Mason	ditto	ditto	ditto.
Charles Brescianini and Angela, his wife.	Brescia	Proprietor	ditto	ditto	ditto.
Antoine Nisi	Macerata	ditto	ditto	ditto	ditto.
Raphael Pennacchini Philippe Pennacchini	Rome	Sculptor	ditto	ditto	ditto.
Frederick Bosi	Faenza	Physician	ditto	Visa by the British Vice-consulate at Civita Vecchia.	ditto.
Cesare Poli	Casal Maggiore.	Physician	By H. B. M.'s Consular Agent at Rome.	No visa by any British Consular authority.	Malta.
François Flori	Jesa	Student	ditto	ditto	ditto.
Annibal Baratta	Massa di Carrara.	Sculptor	ditto	ditto	ditto.
Luigi Fosconi	Rimini	Innkeeper	United States' Consul at Rome.	Visa by the British Vice-consulate at Civita Vecchia.	Malta and United States.
Luigi Longhena	Brescia	Proprietor	ditto	ditto	ditto.
Enrico Modesti	Tuscany	Baker	ditto	ditto	ditto.
Andrea A. Erede	Genoa	Captain in merchant service.	ditto	ditto	Malta and America.
Charles Dall'Oro	Mantua	Lawyer			
Annibale Becagli	Tuscany	Merchant	ditto	ditto	Malta and United States.
Lewis Bossy	Rome	Student	ditto	ditto	Malta and America.
Peter Fowls, Maria his wife.	Lombardy	Sculptor	ditto	ditto	ditto.
Antonio Marrinelli	Senigaglia	Mathematician	ditto	ditto	Malta and United States.
Cesare Agostini	Fuligno	Advocate	ditto	ditto	Malta and America.
Ramire Venturi	Pisa	Literary Character	ditto	ditto	Malta and United States.
Enrico Francesci	Tuscany	Apothecary	ditto	ditto	ditto.
Michele Barlonti	ditto	Tailor	Sardinian Consul-general at Rome.	ditto	ditto.
Aureliano Bologna	Vicenza	Law Student	Sardinian Secretary of State for Foreign Affairs.	ditto	Malta and America.
Giovanni Percelli	Milan	Merchant	ditto	ditto	Malta and New York.
Alessandro Cerati	ditto	Law Student	The Substitute of the Minister for Foreign Affairs of the Roman Republic.	ditto	Malta and United States.
Carlo Sabioni	ditto	ditto	ditto	ditto	ditto.
Luigi Macchi	ditto	Merchant	By the Secretary of State of the Canton of Ticino.	ditto	Malta.
Andrea Folo	Bassano	Proprietor	A certificate of a medal of honour for having fought at Vicenza	ditto	ditto.
Marco Fontana	Venice	Merchant	Tuscan Minister for Foreign Affairs.	ditto	ditto.

Police Office, Valletta, 16 July 1849.

(signed) *Fred. Sedley*, Inspector.

Enclosure 2, in No. 13.

LIST of PASSENGERS REFUGEES arrived here by the "Lycurgue," showing their Country, Profession, Passport, where given, and by whom, and if visé'd by a British Consul, and place of Destination.

NAMES.	Country to which they state they belong.	Profession.	Passports, where given, and by whom.	If visé'd by a British Consul.	Destination.
1. Giacomo Cerri	Naples	Proprietor	United States' Consul at Rome.	By H. M.'s Vice-consul at Civita Vecchia.	America *viâ* Malta.
2. Enrico Franzoni	Carrara	Sculptor	ditto	By H. M.'s Consul at Rome.	ditto.
3. Gaetano Mazzatti and his wife Rosa.	Rome	Hatter	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
4. Natale Brutini	Florence	Servant	ditto	ditto	ditto.
5. Luigi Paoletti	ditto	Worker in Ebony	ditto	ditto	ditto.
6. Carlo Durante	Mantova	Student	ditto	ditto	ditto.
7. Ferdinando Fani	Tuscany	Merchant	ditto	ditto	ditto.
8. Savan Mansur	ditto	Professor of Literature.	ditto	ditto	ditto.
9. Vincenzo Testoni	Modena	Clerk	ditto	ditto	ditto.
10. Giovanni Tomoni	Mantova	Shoemaker	ditto		ditto.
11. Michele Berni and his wife and child.	Rome	Professor of Music	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
12. Antonio Galli	Mantova	Proprietor	ditto	By H. M.'s Consul at Rome.	ditto.
13. Baldassere Francesconi	Senigaglia	Merchant	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
14. Giovanni Bezzoni	Mantova	Coachman	ditto	ditto	ditto.
15. Luigi Ducci	Aretizzo	Advocate	ditto	ditto	ditto.
16. Salvatore Pappini	Parma	Lamp-maker	ditto	ditto	ditto.
17. Giuseppe Salpini	Rome	Painter	ditto	ditto	ditto.
18. Francis degli Azzi Vitelleschi.	Fuligno	Proprietor	ditto	ditto	ditto.
19. Eduardo de Brina	Naples	ditto	ditto	ditto	ditto.
20. Alessandro Levi	Modena	Merchant	ditto	By H. M.'s Consul at Rome.	ditto.
21. Basilio Savatti	Rome	Barber	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
22. Emilio Relucente	ditto	Saddle-maker	ditto	ditto	ditto.
23. Curzio Paolucci	ditto	Proprietor	ditto	ditto	ditto.
24. Antonio Ferrara and two children.	Pavia	Military	ditto	ditto	ditto.
25. Giacomo Campi	Perugia	Tailor	ditto	ditto	ditto.
26. Ludovico Rampoldi	Lombardy	Servant	ditto	ditto	ditto.
27. Salomone Montolfo	Senigaglia	Merchant	ditto	By H. M.'s Consul at Rome, and afterwards by H. M.'s Vice-consul at Civita Vecchia.	Corfu and America *viâ* Malta.
28. Camillo Croci	Viterbo	Saddle-maker	ditto	By H. M.'s Vice-consul at Civita Vecchia.	
29. Egisto Gannelli	Florence	Biscuit-maker	ditto	ditto	ditto.
30. Gaspare Franciscon	Senigaglia	Merchant	ditto	By H. M.'s Consul at Rome, and since by H. M.'s Vice-consul at Civita Vecchia.	ditto.
31. Francesco Ceccarini	Rome	Sculptor	ditto	By H. M.'s Consul at Rome.	America *viâ* Malta.
32. Sansone Levi	Trieste	Proprietor	ditto	ditto	ditto.
33. Giacomo Medici	New York	Merchant	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
34. Antonio Racani	Rome	Proprietor	ditto	By H. M.'s Consul at Rome.	ditto.
35. Brizzi delle Rosa Brizzio	Perugia	ditto	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
36. Giuseppe Fanelli	Naples	ditto	ditto	ditto	ditto.
37. Leone Paladini and Giuseppe Varesi	Milan ditto	Advocate Proprietor	ditto	ditto	ditto.
38. Henry Lewis and John Lewis	Florence ditto	Advocate Numismatist	ditto	ditto	ditto.
39. Francis Simeon Lisanski.	Poland	Clergyman	ditto	By H. M.'s Consul at Rome.	ditto.
40. Giovanni Bagarotti	Sanseverino	Student	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
41. Orlando Nataluni	Ancona	Printer	ditto	ditto	ditto.
42. Giovanni Pergolini	Macciana	Tailor	ditto	ditto	ditto.
43. Ferdinando Marconi	Perugia	Merchant	ditto	ditto	ditto.
44. Scipione Cagnet Dubois	Rome	Sculptor	ditto	ditto	ditto.
45. Anselmo Defastoni	Lombardy	Compositor	ditto	ditto	ditto.
46. Giuseppe Finkensteiin	Poland	Military	ditto	ditto	ditto.
47. Giuseppe Calvetta	Naples	Painter	ditto	ditto	ditto.
48. Filippo Bonduri	Brescia	Proprietor	ditto	ditto	ditto.
49. Pietro d'Annibale	Rome	ditto	ditto	ditto	ditto.
50. Gaetano Lena	Genoa	Bookseller	ditto	ditto	ditto.
51. Luigi Guida			ditto	ditto	ditto.
52. Giuseppe Chiesa	Forli	Military	ditto	ditto	ditto.

List of Passengers, &c.—*continued.*

NAMES.	Country to which they state they belong.	Profession.	Passports, where given, and by whom.	If visé'd by a British Consul.	Destination.
1. Jean Antoine Foschezati	Vicenza	Proprietor	British Consul at Rome.		Malta or London.
2. Charles Boeri	Genoa	Professor of Literature.	ditto		Malta.
3. Gaspare Musta, and his servant Raffaele Camana.	Naples	Proprietor	ditto		ditto.
4. Pietro Rollini	Lombardy	Traveller	ditto		Malta and Constantinople.
5. Pierre Valentini	ditto	ditto	ditto	By H. M.'s Vice-consul at Civita Vecchia.	London *viâ* Malta.
6. Ludovico Manzi	ditto	Architect	ditto	ditto	London.
7. Torello Cerquette	Roman	Proprietor	ditto		Malta.
8. Joseph Cannonieri and his wife Rosa.	Modena	Advocate	ditto	By H. M's. Vice-consul at Civita Vecchia.	London *viâ* Malta.
9. Felix Castellani	Verona	Musician	ditto		Malta.
10. Nemesio Darolis	Modena	Merchant	ditto		ditto.
11. Dr. Mauro Giacomelli	Bologna	Physician	ditto		ditto.
12. François Pastore and Antoine Sersala.	Naples	Proprietor	ditto		ditto.
13. Moderato de Dominicis	ditto	ditto	ditto		ditto.
14. Achille Tipi and Caliste Cappelli	ditto ditto	ditto Engineer	ditto	By H. M.'s Vice-consul at Civita Vecchia.	London *viâ* Malta.
15. George Guarmani	Bologna	Merchant	ditto		Malta.
16. Bonaventura Bazzani, Joan Zannoni and Jean Baptiste Bazzani	Mantova Brescia	Shoemaker Student	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
17. Baron Magliano and Louis, his brother.	Naples	Proprietors	ditto		ditto.
18. Louis Boxas and his servant, Joseph Sani.	Catania	Proprietor	ditto		ditto.
19. David Barucco and his wife, Clementina Luigia.	Brescia	Clerk	ditto		ditto.
20. Raffaele Boncinelli	Florence	Biscuit-maker	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
21. Francis Capiccioni	Rome	Merchant	ditto.		
22. Jerome Moscardini	ditto	Proprietor	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
23. Louis Cheronett	ditto	Worker in Marble	ditto		ditto.
24. Louis Pandolfini, Margarita, his Wife, and Antoine Ghilardi, his servant.	Voghera	Proprietor	ditto		London *viâ* Malta.
25. Augustin Susini	Florence	Singer	ditto	By H. M.'s Vice-consul at Civita Vecchia.	ditto.
26. Eugene Ronzani	Mantova	Farrier	ditto	ditto	Malta.
27. Titus Dolcetti	Pisa	Courier	ditto		ditto.
28. Marquis de Mouthmayer, Alexander, his brother, and Laurent Brumont, their servant.	Naples	Proprietors	ditto		ditto.
29. Antoine Ghiglione*	Genoa	Proprietor	ditto	By H. M.'s Vice-consul at Civita Vecchia.	London *viâ* Malta.
30. Jean Baptiste Ferraro	England	Traveller	H.M.'s Consul at Rome		Malta.
31. Auguste Joanny	Ionian	ditto	ditto		London.
1. Boninio Evasio di Luigi	Casal	Chemist	Sardinian Consul-general at Rome.	By H. M.'s Vice-consul at Civita Vecchia.	America *viâ* Malta.
2. Girolamo Luraschi	Piedmont		ditto	By H. M.'s Consul at Rome.	ditto.
3. Giuseppe di Luigi Gandolfi.	Cremona	Carpenter	Sardinian Secretary of State for Foreign Affairs at Turin.	By H. M.'s Vice-consul at Civita Vecchia.	Cremona *viâ* Malta.
4. Augusto Fuochi	Tuscany	Sculptor	Sardinian Consul-general at Rome.	ditto	America *viâ* Malta.
5. Giacinta Luchina	Turin	Fencing Mistress	Sardinian Secretary of State for Foreign Affairs at Turin.	ditto	Constantinople *viâ* Malta.
6. Demetrio del Prete	Lucca	Advocate	Sardinian Consul-general at Rome.	By H. M.'s Consul at Rome.	Malta.
1. Eugene Trosco	Bergamo	Proprietor	Bavarian Legation at Rome.	By H. M.'s Vice-consul at Civita Vecchia.	America *viâ* Malta.
2. Agostino Malfezzali	Cremona	ditto	ditto	ditto	ditto.
3. André Rebustini	Mantova	ditto	ditto	ditto	ditto.
4. Dr. Joseph Maffei	Cremona	Advocate	ditto	ditto	ditto.
5. Narcisse Bronzetti	Tivoli	Proprietor	ditto	ditto	ditto.
6. Pillade Bronzetti	Mantova	ditto	ditto	ditto	ditto.

* Wounded; landed under the guarantee of Dr. Achille Brunone Bruno.

(*continued*)

List of Passengers, &c.—*continued.*

NAMES.	Country to which they state they belong.	Profession.	Passports, where given, and by whom.	If vise'd by a British Consul.	Destination.
7. Vincent Raffi - -	Cremona -	Paste Manufacturer	-- Bavarian Legation at Rome.	-- By H. M.'s Vice-consul at Civita Vecchia.	-- America *viâ* Malta.
8. Pernice Damaso -	- ditto -	Mariner - -	- ditto - - -	- ditto - - -	- ditto.
9. François Fantini -	- ditto -	Printer - -	- ditto - - -	- ditto - - -	- ditto.
1. Nicola Fabrizio -	Modena -	Merchant - -	-- By the General commanding in Chief in the Venetian States.	-- By H. M.'s Consul at Rome.	Malta.
2. Antonia Fabj - -	Rome -	Advocate - -	-- By the Prefect of Police at Rome.	- ditto - - -	ditto.
3. Enrico Panizzoli -	Tunis -	Watchmaker -	-- By the substitute Secretary of State for Foreign Affairs at Rome.	- ditto - - -	ditto.
4. Attilio Baccani and Teresa his sister.	Rome -	Proprietor - -	- ditto - - -	- ditto - - -	ditto.
5. Luigi Zannetti - -	Milan -	Student - - -	-- By the Swiss Secretary of State for the Canton of Ticino.	-- By H. M.'s Vice-consul at Civita Vecchia.	-- Switzerland *viâ* Malta.

NUMERICAL RETURN of Passengers, Refugees, on Board the "Lycurgue," when she arrived here, showing the Number of Passports given by each Consul, &c., and for what Number of Persons, distinguishing Men, Women and Children.

DESCRIPTION OF PASSPORTS.	Number of Foreign Passports visé'd by a British Consul.	Number not visé'd by a British Consul.	Number of Persons contained in the Passports.			TOTAL.
			Men.	Women.	Children.	
By the United States' Consul at Rome, No. 52	51	1	54	2	3	59
By the British Consul at Rome - „ 31	- -	- -	41	3	- -	44
By Sardinian Consul at Rome - „ 6	6	- -	5	1	- -	6
By Bavarian Legation at Rome - „ 9	9	- -	9	- -	- -	9
Sundries - - - - - - „ 5	5	- -	5	1	- -	6
TOTAL - - -	71	1	114	7	3	124

Police Office, Valletta,
17 July 1849.

(signed) *Fred. Sedley*, Inspector.

— No. 14. —

No. 14.
The Right Hon. R. More O'Ferrall to Earl Grey.
17 July 1849.

(No. 86.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 20 September 1849, No. 191, page 65.)

Malta, 17 July, 1849.
(Received, 24 July 1849.)

My Lord,

WITH reference to my despatch to your Lordship of this day's date, No. 85,* I have the honour to transmit, herewith inclosed, copy of a letter which has been received from the person in charge of the United States' Consulate in this island during the absence of the Consul, together with the answer which I directed to be returned thereto, in respect to the passengers on board the French Government steam-vessel "Lycurgue" and the Greek merchant-brig "Ruben" from Civita Vecchia.

* Page 24.

No. 1, 17 July 1849, p. 29.

No. 2, 17 July 1849, p. 29.

I have, &c.
(signed) *R. More O'Ferrall.*

Enclosure

Enclosure 1, in No. 14.

The United States' Acting Consul to Mr. *Lushington*.

United States' Consulate, Malta,
17 July 1849.

Sir,

In the case of a number of passengers arrived in this port, furnished with passports, and some with Consular declarations under the seal of the United States' Consul at Rome, now on board the French steamer "Lycurgue" and the Greek vessel "Ruben," both from Civita Vecchia, with an intention to stay at this island for a limited period, in order to arrange their affairs and procure a passage to the United States, their destination; on such their arrival the Executive Government of Malta has refused their landing, although many of them are persons of respectable connexions, and remain still deprived of that facility, crowded together on board the said vessels, to the manifest prejudice of their health in the present hot season, and besides subjected to extraordinary expenses on account thereof. Encl. 1, in No. 14.

That heavy complaints on the part of various individuals have been made at this consulate against such rigorous detention on the part of the executive of this Government on account thereof; so much so that the undersigned, in his own justification, has determined to address you on the subject, as not to form a precedent in similar cases, and to bring the matter into the serious consideration of his Excellency the Governor, to the end that, on account of said treatment already experienced by the said individuals, that measures may be taken by this Government of Malta for the removal of the said restriction imposed on the said passengers, and to comply with the tenor of the said passports and certificates of their protection, made on the part of the Government of the United States by their said Consul at Rome; that is to say, that the authorities of the British Government, as well at this island as elsewhere, may, on account of the friendly state existing actually between the said two Governments, be pleased to remove the said restrictions already made, on the said passengers bearing official passports and protection of their persons under the seal of the said consular office, and under his hand; and thereupon to grant them, according to the tenor of the said documents, all lawful aid and assistance in their said undertaken voyage, and accordingly to substitute, instead of such denial to land at Malta, such other more opportune or necessary surveillance required for the due security of this island, and as the exigencies of the local police may seem to require.

I have, &c.
(signed) *Charles Curry*,
In charge of U. S. Consulate.

Enclosure 2, in No. 14.

Mr. *Lushington* to the United States' Acting Consul.

Valletta, 17 July 1849.

Sir,

I am directed by his Excellency the Governor to acknowledge the receipt of your letter of this day's date, and to acquaint you, that the persons therein referred to on board the French Government steamer "Lycurgue" and the Greek merchant-brig "Ruben," are free to leave this port in any vessel they please; that the same prohibition to land extends equally to those who carry passports from the British as well as the American Consul at Rome. Encl. 2, in No. 14.

I am directed also to inform you, that the quarantine physician has been desired to visit the vessel daily, and take such measures as the exigency of each case may require.

Copies of your letter, and of this answer, will be forwarded to the Secretary of State by the mail.

I have, &c.
(signed) *H. Lushington*.

— No. 15. —

(No. 87.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 20 September 1849, No. 191, page 65.)

Malta, 25 July 1849.
(Received, 6 August 1849.)

My Lord,

With reference to my despatch of the 17th instant, No. 85,* reporting the arrival of 122 refugees from Civita Vecchia on board the French Government steam-packet "Lycurgue," and 53 in the Greek merchant-brig "Ruben," I have now to inform your Lordship, that after remaining in port eight days, during which time many refugees departed by various conveyances, while others were received on shore on the sick certificate of the quarantine physician, the "Lycurgue" sailed on the 23d with the remainder of those she brought here.

No. 15.
The Right Hon. R. More O'Ferrall to Earl Grey.
25 July 1849.
* Page 24.

1. Superintendent of Quarantine and Marine Police, 18 July 1849, page 30.
2. Ditto, 19 July 1849, page 31.
3. List of Passports, page 32.
5. Report by quarantine officer of principal proceedings, 23 July 1849, page 33.
6. List of Refugees landed on sick certificate, page 34.
* Encl. No, 7, p. 35.

The greater part of the passengers of the Greek brig have also departed for various destinations.

The reports of the officers in charge of the marine police, which I have the honour to transmit, state the daily proceedings.

An attempt was made through a legal process (which I have every reason to believe to have been a subterfuge), to detain M. Fabrizj in the island; I also enclose a copy * of a letter or protest which he transmitted to me.

It is satisfactory to be able to report the cordial co-operation of the French Consul, and that perfect harmony prevailed between the crew of the "Lycurgue" and the officers and men of the land and marine police, who discharged their duty with zeal and humanity towards the unfortunate persons detained so long on board the "Lycurgue."

Whatever representations may be made to the contrary, your Lordship may be assured that everything was done to mitigate the inconvenience they suffered, and which might have been more effectually relieved if the Consul had ordered the vessel to leave the port at an earlier period.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 15.

The Superintendent of Quarantine and Marine Police to Mr. *Lushington.*

Sir, Valletta, 18 July 1849.

Encl. 1, in No. 15. I HAVE the honour to acquaint you, for the information of his Excellency the Governor, that 12 of the passengers (refugees) on board of the Greek brig "Ruben" arrived from Civita Vecchia, applied to take passage on board of the French steam-boat "La Ville de Marseille," three of them for Syra, and nine for Constantinople; but owing to the refusal of the Ottoman and Greek Consuls in Malta to visé their passports, have been prevented from quitting their vessel.

I enclose copies of the passports which have been delivered at Rome to the different refugees of various nations, by the British and the United States' Consuls, as ordered by his Excellency the Governor.

I have, &c.

(signed) *E. Bonavia.*

Sub-Enclosure 1, in Enclosure 1, to No. 15.

(No. 869.)

Passports delivered at Rome by the British and American Consuls.

NOUS, Jean Freeborn, Agent Consulaire de Sa Majesté Britannique à Rome et dans les Etats Romains pour la côte de la Méditerranée.

Prions et requérons tous ceux à qui il appartient de laisser passer librement et sûrement M. Alexandre Stefanoni, allant à Londres avec M. Achille Poliani, sans lui donner ni permettre qu'il lui soit donné empêchement quelconque, mais au contraire de lui accorder tout aide et assistance en vertu du présent passeport signé de nous, et auquel nous avons apposé l'empreinte des armes du Consulat.

Valable pour trois mois.

(signed) *John Freeborn.*

Rome, le 2 Juillet 1849.

(L. S.)

Gratis.

1115. Roma, li 4 Luglio 1849.

Visto alla Direz. di Pubca. Sicurrezza. Buono per Londra.

Valido per sei gni. a partire.

P. Il Capo,

(L. S.) (signed) *M. Picorozzi.*

Visto sortire dalla Porta Cavalleggeri. Roma, 6 Luglio 1849, alle ore.

L'ufficiale di Guardia,

(L. S.) (signed) *Volponi.*

Visto buono per imbarcarsi. Civitavecchia, 8 Luglio 1849.

Per il Direttore di Porto,

(L. S.) (signed) *D. Camuracci.*

Visto

Visto al V. Consolato Britannico. Buono per Malta.
Civitavecchia, 8 Luglio 1849.
Gratis. Per il V. Console di S. M. B.
(L. S.) (signed) *L. Sperandio.*

Sub-Enclosure 2, in Enclosure 1, to No. 15.

Consulate of the United States of America, to all to whom these presents shall come, greeting:—

I, The Undersigned, Consul of the United States of America, hereby request all whom it may concern, to permit safely and freely to pass, Franceschi Enrico, the bearer hereof, citizen of the United States, going to the United States, and in case of need to give him all lawful aid and protection.

Given under my hand and the seal of this Consulate at Rome, this 1849, and of the Independence of the United States the 73d.

(signed) *Nicolas Brown,*
(L. S.) Consul of U. S. A. for Rome.

Vu bon pour aller en Amérique. Rome, le 6 Juillet 1849.
P. le Général Français commandant la place,
Le Capitaine,
(L. S.) (signed) *Ch. Tourve.*

1839. Gratis.
Roma, li 5 Luglio 1849.
Visto alla Dire. di Puba. Sicurezza. Buono per America.
Valido per sei gni a partire.
Pr. il Capo,
(L. S.) (signed) *M. Piccarossi.*

No. 1,000. Visto al V. Consolato degli Stati Uniti d'America in C. Vecchia.
Li 8 Luglio 1849. Buono per Malta.
Gratis. Il V. Console.
(L. S.) (signed) *Alpeddorve.*

Visto buono per imbarcarsi. C. Vecchia, 8 Luglio 1849.
Per Dirett.,
(L. S.) (signed) *P. Albert,* Agte.

2598. Visto al V. Consolato Britannico. Buono per Malta.
Civitavecchia, 8 Luglio 1849.
Gratis. Per il V. Console di S. M. B.
(L. S.) (Signed) *L. Sperandio.*

Enclosure 2, in No. 15.

The Superintendent of Quarantine and Marine Police to Mr. *Lushington.*

Sir, 19 July 1849.

I HAVE the honour to acquaint you, for the information of his Excellency the Governor, that yesterday in the afternoon, M. Egisto Gannelli (a lieutenant of infantry), one of the passengers on board of the French steamer "Le Lycurgue," disguised himself as one of the seamen of the steamer, by even having on his straw hat the ribband marked "Lycurgue," and put himself along with other three sailors as one of the crew, in one of the boats of the steamer, and started from on board to land at the Marina; said passenger so disguised did not escape the vigilance of Vincenzo Ligreste, one of the marine policemen who was on duty, and the person so detected was brought to this office. I have reprimanded the passenger for his behaviour, and without delay I sent him on board of the "Lycurgue" in one of the office boats, but to my surprise he was not received. I addressed a note to the commander on the subject, desiring to be acquainted if the passenger Gannelli was really refused by him to enter the ship again, and about 8 o'clock this morning I received a reply to my note, acquainting me that until he had acquired the proof that the escape of the passenger in question had been favoured by the crew of the steamer under his command, he refused to receive him on board. I immediately replied, and requested him to have the goodness as soon as convenient, to make the necessary inquiry into the fact, and to give me his final decision, in order to enable me to report the case to Government, acquainting the commander at the same time that M. Gannelli has been detained in custody at the Marine Police Office; and having now been informed (at 5 p. m.) that the commander refuses to receive M. Gannelli on board, I beg to be furnished with instructions what I am to do with this individual. Encl. 2, in No. 15.

I have, &c.
(signed) *E. Bonavia.*

Enclosure 3, in No. 15.

Encl. 3, in No. 15. LIST of PASSPORTS of PASSENGERS arrived by the "Lycurgue," *visé'd* by Her Majesty's Vice-Consul at *Civita Vecchia*, and not *visé'd* by the British Consul at Rome.

NAMES.	Country to which they state to belong.	Profession.	Passports, where given, and by whom.
Giacomo Cerri	Naples	Proprietor	United States' Consul at Rome.
Gaetano Mezzotti and his Wife	Rome	Hatter	ditto.
Natale Brutini	Florence	Servant	ditto.
Luigi Paoletti	ditto	Worker in Ebony	ditto.
Carlo Duranti	Mantua	Student	ditto.
Ferdinando Fani	Tuscany	Merchant	ditto.
Savan Mansur	ditto	Professor of Literature.	ditto.
Vincenzo Testoni	Modena	Clerk	ditto.
Michele Berni and his Wife and child.	Rome	Professor of Music	ditto.
Baldassare Francesconi	Senigaglia	Merchant	ditto.
Giovanni Bezzoni	Mantua	Coachman	ditto.
Luigi Ducci	Aretizzo	Advocate	ditto.
Salvatore Pappini	Parma	Lamp-maker	ditto.
Giuseppe Salpini	Rome	Painter	ditto.
Francis degli Azzi Vittelleschi	Fuligno	Proprietor	ditto.
Eduardo de Brina	Naples	ditto	ditto.
Basilio Faratti	Rome	Barber	ditto.
Emilio Relucenti	ditto	Saddle-maker	ditto.
Curzio Paolucci	ditto	Proprietor	ditto.
Antonio Ferrara	Pavia	Military	ditto.
Giacomo Campi	Perugia	Tailor	ditto.
Ludovico Rampoldi	Lombardy	Servant	ditto.
Camillo Croci	Viterbo	Saddle-maker	ditto.
Egisto Gannelli	Florence	Biscuit-maker	ditto.
Giacomo Medici	New York	Merchant	ditto.
Brizzi della Rosa Brizzi	Perugia	Proprietor	ditto.
Giuseppe Fanelli	Naples	ditto	ditto.
Leone Paladini	Milan	Advocate	ditto.
Giuseppe Varesi	ditto	Proprietor	ditto.
Henry and John Lewis	Florence	Advocate, Antiquarian.	ditto.
Giovanni Bagarotti	Sanseverino	Student	ditto.
Orlando Nataluni	Ancona	Printer	ditto.
Giovanni Pergolini	Macciana	Tailor	ditto.
Ferdinando Marconi	Perugia	Merchant	ditto.
Scipione Cagnet Dubois	Rome	Sculptor	ditto.
Anselmo Defastoni	Lombardy	Compositor	ditto.
Guiseppe Finkenstein	Poland	Military	ditto.
Guiseppe Calvetta	Naples	Painter	ditto.
Filippo Bonduri	Brescia	Proprietor	ditto.
Pietro D'Annibale	Rome	ditto	ditto.
Gaetano Lena	Genoa	Bookseller	ditto.
Luigi Guida	-	-	ditto.
Guiseppe Chiesa	Forli	Military	ditto.
Luigi Zannetti	Milan	Student	By the Swiss Secretary of State for the Canton of Ticino.
Bonini Evasio di Luigi	Casale	Chemist	By the Sardinian Consul-general at Rome.
Giuseppe di Luigi Gandolfi	Cremona	Carpenter	By the Sardinian Secretary of State for Foreign Affairs in Turin.
Augusto Fuochi	Tuscany	Sculptor	By the Sardinian Consul-general at Rome.
Giacinta Luchina	Turin	Fencing Mistress	By the Sardinian Secretary of State for Foreign Affairs in Turin.
Eugene Trosco	Bergamo	Proprietor	By the Bavarian Legation at Rome.

List of Passports of Passengers, &c.—*continued.*

NAMES.	Country to which they state to belong.	Profession.	Passports, where given, and by whom.
Agostino Malfezzali - -	Cremona -	Proprietor - -	- - By the Bavarian Legation at Rome.
André Rebustini - - -	Mantova -	- ditto - -	- ditto.
Dr. Joseph Maffei - -	Cremona -	Advocate - -	- ditto.
Narcisse Bronzetti - -	Tivoli -	Proprietor - -	- ditto.
Pillade Bronzetti - - -	Mantova -	- ditto - -	- ditto.
Vincenzo Raffi - - -	Cremona -	Paste Manufacturer	- ditto.
Pernice Damato - - -	ditto - -	Mariner - -	- ditto.
François Fantini - - -	ditto - -	Printer - -	- ditto.

(signed) *Fred. Sedley*, Inspector.

Police Office, Valletta, 21 July 1849.

Enclosure 5, in No. 15.

REPORT of the principal Proceedings which took place during the stay in the Great Harbour of the French Government Steamer "Lycurgue," Lieutenant Giraud Commander.

Valletta, 23 July 1849.

On the 15th instant, at half past 9 o'clock in the morning, the French Government steamer "Lycurgue," entered the harbour from Marseilles, Leghorn, Civita Vecchia and Naples, having on board 150 passengers, chiefly refugees; the commander was directed not to allow any person to land, or leave the vessel, excepting those who were to be transhipped for continuing their voyage to the Levant, on the same day, and any British subjects who might have been on board. All the passports were received from the steamer and forwarded to the police, and a regular list of the names, country, condition, &c, was made for the information of his Excellency the Governor, and it was then ascertained that 122 of them were refugees from Rome. Encl. 5, in No. 15

The commander was made acquainted that the 122 refugees would not be allowed to land, but that at the request of his Excellency the Governor, the Admiral Sir William Parker had ordered every assistance to be given from the flag-ship to the commander of the "Lycurgue," if he should require it, and that boats of the marine police were placed alongside of the steamer, in the event of his requiring any assistance; said boats had also orders to prevent any passenger from landing without a regular permit.

On the 16th instant, in consequence of complaints of illness on board, directions were given by his Excellency that the quarantine physician should visit the passengers of the "Lycurgue," and to report the names of those who in his opinion required to be treated on shore, which was accordingly done, and six persons, after having produced the required guarantee, were allowed to land to be cured. It was also directed that the females and children on board might land with the usual guarantee, and some availed of this permission; and I beg to state, that the surgeon of the "Lycurgue" told the quarantine physician that he would not prescribe for any of the passengers sick on board.

The Inspector of Hospitals was also directed to furnish the surgeon of the "Lycurgue" with any medicine he might require for the treatment of sick passengers on board, and when the surgeon was made acquainted with said direction, both the commander and himself were thankful for the offer, but stated that they had no need of any medicine.

On the 17th, to facilitate the departure of any of the passengers on board the "Lycurgue," the agent of the English steamer "Ripon" was sent on board to offer passage to England, and two went by her; the agent of Rost and Company was also sent on board to offer passage to the East, and four went by her. Directions were given by his Excellency that the assistant captain of the port was to make inquiry amongst the merchant-vessels leaving Malta, if they were willing to receive passengers, and if so to invite the masters to call on board the "Lycurgue," to state their terms to the commander and passengers; of which facility only nine have availed themselves.

Four other sick persons, after having been visited by the quarantine physician, were also allowed to land to be cured, and another taken to the hospital and cured.

On the 18th, in the afternoon, one of the passengers on board the "Lycurgue" disguised himself in a seaman's dress, with the ribband round his straw hat marked "Lycurgue," and left the vessel to go on shore in one of the ship's boats, along with the other seamen, but the guards of the marine police on duty detected him, and brought him to the marine police office; he was sent on board in one of the office boats, but they refused to receive him. I addressed a letter to the commander, desiring to be acquainted if the passenger disguised was really refused by him. The commander acquainted me that he would not receive him on board. He has since been detained in custody at the police office.

The quarantine physician having reported that three of the passengers on board the

"Lycurgue" required to be treated on shore, they were allowed to land to be cured, under the usual restrictions.

On the 19th, the quarantine physician having paid his visit on board to see some passengers who reported themselves sick, he found that their malady was of such nature that could conveniently be cured on board, and when the medicine prescribed was sent to them, the surgeon of the "Lycurgue" refused to receive it, alleging that he was not in want of medicine, and that the sick passengers ought to be cured on shore, and not on board of the 'Lycurgue."

On the 21st the quarantine physician reported that a passenger required to be landed on shore, and was allowed to land to be cured, having produced his guarantee.

On the 23d the sick passenger who had been sent to the hospital on the 17th, who is now cured, and the passenger who had disguised himself, and was kept in custody since the 18th, were both received on board the "Lycurgue." One of the passengers, M. Giuseppe Cannonieri, having been reported by the surgeon sick, the quarantine physician was desired to visit him on board, and having been ascertained that he required treatment on shore, he was allowed to land along with Mrs. Cannonieri, having previously procured the regular guarantee.

The "Lycurgue" at 3 o'clock P. M., started for her destination.

In concluding this report, I beg to state that the guard-boats from the fleet kept guard every night round the "Lycurgue."

(signed) *Emmanuele Bonavia.*

Enclosure 6, in No. 15.

Encl. 6 in No. 15. LIST of the REFUGEES who have been landed in *Malta* with permission of Government from the French Government Steamer "Lycurgue," on Sick Certificate from Quarantine Physician.

NAMES.	DATE OF LANDING.
Antonio Ghilioni - - -	16 July - - 1849.
Giacomo Medici - - -	17 July - - 1849.
Luigi Magliano - - -	- - ditto.
Alessandro Levi - - -	- - ditto.
Antonio Galli - - - -	- - ditto.
Antonio Fabi - - - -	- - ditto.
Francisco Pastore - - -	- - ditto.
Francisco Ceccarini - -	18 July - - 1849.
Demetrio del Prete - - -	- - ditto.
Francis Capiccioni - - -	- - ditto.
Sansome Levi - - - -	- - ditto.
Moderato de Dominicis - -	- - ditto.
Calisto Cappelli - - -	- - ditto.
Gaspare Musto - - -	21 July - - 1849.
Giuseppe Cannonieri and wife -	23 July - - 1849.

PASSENGERS who have landed as above from the Greek brig "Ruben."

NAMES.	DATE OF LANDING.
Antonio Nisi - - - -	19 July - - 1849
Annibale Baratta - - -	- - ditto.
Enrico Francesci - - -	- - ditto.

Police Office, Valletta, 24 July 1849.

(signed) *Fred. Sedley,* Inspector.

LIST of the REFUGEES who arrived here in the French Government Steamer "Lycurgue," and in the Greek brig "Ruben," and who embarked in other vessels, showing the place of their destination, as reported by the Marine Police.

Passengers arrived by the "Lycurgue."

Antonio Ferrara, Camillo and Gerolmina, his children. Departed for Smyrna in the French steamer "Ville de Marseille."

Conte Ugo Pepoli and Girolamo Moscardini, took their departure by the English steamer "Ripon" for Gibraltar and England.

Pierre Rollin, gone to Smyrna in the French steamer "Ville de Marseille."

Leone Paladini, Giuseppe Varesi, Eugenio Ruzoni, Paolucci Cuzzio, Brizzi della Rosa Brizzi, Giuseppe Finkenstein, Enrico Panezzoli, Tibaldo Sambolini, Anibale Pietro, embarked in the Tuscan schooner "Costanza," Dominico Castagliola, master, bound for Tunis.

Passengers

Passengers arrived by the Greek Brig "Ruben."

Rinaldo Andreini, Cesare Agostini, left this for Smyrna in the English steamer "Ripon," for Gibraltar and England.

Andrea A. Eredi, Antonio Martinelli, and Luigi Fosconi, departed for Constantinople by the French steamer "Ville de Marseille."

Marco Fontana, departed for Smyrna by the French steamer "Ville de Marseille."

All the following passengers, likewise arrived by the Greek brig "Ruben," embarked for Athens in the Greek schooner "Panermcoti."

Jean Baptiste Mor.	Marcello Brescianini.	Annibale Becagli.
Ernest Modroni.	Carlo Brescianini,	Joseph Bertolesi.
François Flori.	Angela, his wife.	Enrico Modeste.
François Pieri.	Carlo Sabioni,	Michele Barlonti.
Lepri Ippolito.	Giovanni Perelli.	Louis Bossy.
Raphael Pennachini.	Cerati, Alessandro.	Peter Fowls,
Philippe Pennachinni.	Aureliano Bologna.	Maria, his wife.
Charles Chaldirola.	Alessandro Stefanoni.	Luigi Longhena.
Orace Antinori.	Achille Poliani.	Vincent Tartagli.
Enrico del Corso.	Luigi Macchi.	Pierre Lago.
Ramire Venturi.	Charles Dall' Oro.	

Police Office, Valletta, 24 July 1849.

(signed) *Fred. Sedley*, Inspector.

Enclosure 7, in No. 15.

M. *Nicola Fabrizi* to Governor the Right Honourable *R. More O'Ferrall.*

(Translation.)

Excellency,

Encl. 7, in No. 15.

The passengers who arrived from Civita Vecchia by the "Lycurgue" steam-packet of the French Government with perfectly regular passports, have, since the 15th of July instant, been awaiting to learn from moment to moment a resolution which would put an end to the state of detention in which they have been kept up to this day; whilst, however, the time for the departure of the vessel which conveyed them here is fast approaching, I feel, Sir, that were I to refrain from raising a respectful but firm cry of appeal to your Excellency's justice in the name of the law of nations and humanity, it would be tantamount almost to accepting, as being sanctioned by ourselves, this act of oppression, and any other which may be in preparation against us. The belief, however, is still alive in us, that the extraordinary measure with which we are afflicted may have been occasioned solely by an imperfect knowledge of our position, and that a rectified knowledge of facts may lead to the correction of your Excellency's resolution regarding us.

After the fortune of arms had decided the fate of Rome in favour of the aggressor, and all matters there became ruled by the arbitrary will of the occupier, all those who, either from feelings of principle or disposition of mind, were averse to the new state of things in the Roman State, and from other motives or interests of whatever kind, wished to remove from Rome, had no other mode conceded to them by the ruling French authority but that of the passports under which all of them had till then sojourned in Rome, or of others supplied by the French authority itself, which availed of those which were used by the suppressed Roman Republic, or else those issued by the consuls of the free nations of America and England, with the concurrence of the French authority, which put its *visa* upon them; and such different passports were all rendered valid for the places of destination by the *vidimation* of the representatives of the respective Governments.

Such were the conditions which were strictly fulfilled by us; and in pursuance of which our embarking was regular, and such conditions every passenger who wanted to remove from that place was called upon and required to accomplish.

Neither could we have entertained any suspicion touching the regularity of the ordinary exercise of the functions of the English representative at Rome, nor could we be doomed to bear any responsibility for any eventual violation by the British Consul there of any of his special and extraordinary instructions.

We cannot state what our surprise was when we were subjected to the said measure in the harbour of this island under the free flag of England, where we had flattered ourselves to meet that unforgotten hospitality which had been imparted to our honourable misfortunes, —that hospitality of which the Government of Great Britain has ever been prodigal and famed for extending to persecuted opinion, even in cases deserving less consideration than ours. But my feelings were more profoundly wounded than those of all my companions by the measure which included me in the common proscription, considering that I had only been one year and a few months absent from this till then hospitable island, and that at the time of my departure home I had not the least reason to suppose that I should be made to retrace the steps of the exile. I hailed this land as that of my second country, where I left pending active interests and commercial affairs of mine and of my family,—connexions of every sort of civil life, and buried relics of lasting memory in domestic affections, honoured by the sorrow of the honest citizens of this place.

The greater part of us did not intend to fix our residence in Malta, but proposed to remove therefrom accordingly as their respective economical means would have permitted, and for such places as the resources of each would have pointed out as eligible.

Every one of us had confidently regarded Malta as that free land where he might obtain the earliest private information to be guided by in moving with calmness and tranquillity his steps in the road now open to him of tribulation and exile.

But as regards me in particular, a military man in the service of Venice, which alone still fights under the Italian flag, Malta was to be the spot whence I was to move to repair to my post; but it was also that to which I was called by motives of private duties and honour, which imperiously demanded my presence thereat for the settlement of important concerns relating as well to my family as to strangers who had honoured my house with their confidence.

It is not necessary that I should in fine state for consideration the series of sorrowful consequences, which your Excellency would have to answer for before God and the judgment of Europe, as resulting from the measure of refusing an asylum to so many unhappy men, and making them to retrace the road which leads them into the power of their enemies.

And without giving up the feelings of confidence with which we have hitherto awaited the resolutions of your Excellency for the relief of our sufferings, I being actuated by those duties which press upon me, and which I have had the honour to declare to your Excellency, and in order to protect myself against all reproach of neglect or weakness, must personally, with all due respect, but in a most solemn mode, protest for my moral and material interests, against every measure prohibiting my landing, and the free transaction of my affairs at Malta.

I remain, &c.

(signed) *Nicola Fabrizi*, Colonello.

— No. 16. —

(No. 93.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 20 September 1849, No. 191, page 65.)

No. 16.
The Right Hon. R. More O'Ferrall to Earl Grey.
13 August 1849.
* Page 29.

Malta, 13 August 1849.

My Lord, (Received, 23 August 1849.)

With reference to the subject of my despatch of the 25th ultimo, No. 87,* I have the honour to transmit to your Lordship several documents. One is copy of a protest forwarded by the French Consul on behalf of the captain of the "Lycurgue," against the steps which were adopted in the case of that vessel. My former despatch, and the documents forwarded with it, will have enabled your Lordship to judge of the grounds and propriety of my conduct in the affair; and I conceive them to contain a sufficient answer to the protest of the captain of "Lycurgue." I by no means complain of the conduct of that officer, who was undoubtedly subjected to considerable inconvenience, but I submit, unavoidably so.

Encl. 1, page 37.

I also forward copies of two memorials addressed to me on the occasion, one disapproving of the course followed by the Government, in the exclusion of the refugees, and signed by 48 persons; the other expressing approbation of that course, and signed by 210 persons.

Encl. 2, page 38.
Encl. 3, page 38.

With them I also transmit copy of a letter on the subject addressed to me by the Archbishop Bishop of Malta, expressing in strong terms the Archbishop's impression of the evils which would have followed the admission of the refugees.

26 July 1849, Encl. 4, page 38.

I have further the honour to inform your Lordship that the Greek vessel "Ruben," mentioned in my former despatch, quitted the port on the 27th ultimo with only five of her passengers still on board, the others having previously departed for various destinations, to which object every facility and assistance was afforded them.

On the 25th ultimo the Maltese barque "Michelina" arrived from Civita Vecchia with 87 refugees, from Rome mostly, on board. From the list which I transmit herewith, your Lordship will see that 48 of these persons had received passports from the American Consul, all of which had been *visé'd* by the English Consul at Vecchia, while of the remainder 30 had received passports from Mr. Freeborn.

Encl. 5, page 39.

In accordance with the rule which I had felt the necessity of laying down, it was out of my power to permit these persons to land. They have been accordingly detained on board, and supplied with water and provisions. The owner, a Maltese merchant, has not exerted himself to get rid of them, and will undoubtedly attempt to throw the liability for their intermediate maintenance on the Government, in which, however, it is not likely that he will succeed.

Twenty-

Twenty-three have already departed for different destinations; 55 sail this evening in the Greek brig "St. Spiridione" for Patras; and I trust that within a few days' time we may have the opportunity of getting rid of the whole.

A very few persons of the same character have, since the date of my last despatch, arrived from Ancona by way of Corfu. I transmit to your Lordship copy of the passport of one of them; you will observe that it has the *visé* of the British Consul at Ancona. They have not been permitted to land, and are still in port. Encl. 6, page 40.

Several of the persons landed as sick from the "Lycurgue" have since left the island, while others are still here. It is unnecessary for me to repeat to your Lordship my former assurance, that not only in this case but in that of all the other refugees, no humane care has been neglected which could tend to mitigate the evils of their position.

The Neapolitan deserters who came in the "Peloro" steam-vessel on the 16th, and sailed in the "Gennaro" on the 31st of May last, under the colours of Jerusalem, returned to this port on the 10th instant with 207 persons on board, after a voyage of more than two months to different ports of the Mediterranean, where they were not received. On the 6th instant, the Prince Petrulla arrived here in the Neapolitan steamer of war "Stromboli." He called on me and stated that the vessel above referred to was likely to return to Malta, and asked me to detain her till the Neapolitan Government would send a vessel of war to take the persons on board away. He stated that their lives would be spared. I asked him to send me that statement in writing, and by authority, which he refused. I then told him that should the unfortunate men decline to assent to go to Naples he should not use force to compel them in this harbour; and that I would be no party to any act of his or of the Neapolitan Government.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 16.

The French Consul to Mr. *Lushington.*

Sir. Malta, 1 August 1849.

I HAVE the honour to send to you, to be transmitted to his Excellency, a protest which has been left to me by M. Giraud, commandant le "Lycurgue." Encl. 1, in No. 16.

I have, &c.

(signed) *Frederic de Burggraf.*

Lieutenant *Giraud* to the French Consul.

M. le Consul, Malte, le 20 Juillet 1849.

LE paquebot du Gouvernement Français le "Lycurgue," placé sous mon commandement, étant arrivé ici depuis le 15, de Marseille et de la côte d'Italie, avec 151 passagers embarqués dans les diverses stations qu'il a parcourues, a été empêché jusqu'à ce jour, par ordre de son Excellence le Gouverneur de Malte, de débarquer ceux de ces passagers qui ont été pris à Civita Vecchia, quoiqu'ils fussent, comme tous les autres, munis de passeports Anglais ou de passeports régulièrement visés par les Consuls d'Angleterre et par les autorités du lieu de départ.

Après avoir attendu plusieurs jours un résultat favorable des démarches qui ont été faites auprès de son Excellence le Gouverneur;

Après avoir employé tous nos efforts personnels pour faciliter le départ de ces passagers vers divers pays;

Considérant que la mesure prise par le Gouverneur de Malte contre nos passagers (mesure sans exemple jusqu'à ce jour) est contraire aux termes formels des priviléges accordés par le Gouvernement Anglais aux paquebots des postes, dont le service a toujours été l'objet d'une protection spéciale sous les précédens Gouverneurs de Malte;

Considérant que cette mesure est préjudiciable aux intérêts actuels de ma mission particulière, puisqu'aucun passager ne se présente pour se rendre en Italie par le "Lycurgue," dans l'état de suspicion où l'autorité de Malte l'a placé, et plus préjudiciable encore aux interêts de notre service pour l'avenir, parceque la confiance jusqu'ici accordée à nos paquebots par les voyageurs de tous les pays en sera fortement ébranlée;

M'appuyant sur la récente communication à vous adressée par Monsieur le Secrétaire du Gouvernement, lequel vous prévenait que toutes personnes non munies de passeports régulièrement visés par les autorités du lieu du départ ne seraient pas reçues à Malte, ainsi qu'il résulte de votre lettre d'avis à Monsieur l'Agent de notre service sous la date de 6 Juillet;

M'appuyant sur ce que nos passagers n'ont que des passeports parfaitement en règle;

Et laissant de côté ceux qui ne les auraient pas régulièrement visés, s'il y en avait qui fussent dans ce cas;

Je viens protester, Monsieur le Consul, dans l'intérêt du paquebot placé sous mon commandement, et dans l'intérêt du service auquel je concours, de toute ma force et de tout mon pouvoir, contre l'empêchement mis au débarquement de nos passagers de Civita Vecchia, et je vous prie de vouloir bien adresser à son Excellence le Gouverneur de Malte la présente protestation contre un acte sans précédent, et que rien ne justifie actuellement à mes yeux.

J'ai l'honneur, &c.

Le Lieut. de V^eau Commandant le P. P. " Lycurgue,"

(signé) *Eugene Giraud.*

Enclosure 2, in No. 16.

(Translation.)

Excellency,

Encl. 2, in No. 16. We, hereunder subscribed, in the name of humanity, of the laws of the Parliament of Her Britannic Majesty, and, if that be not enough, in the name of Christianity, which wills that hospitality be given to strangers, particularly if in misfortune, solemnly demand and insist that a remedy be immediately applied to the unheard-of and inhuman proceeding of the police in respect to the fugitive Italians, acting, as they declare, in virtue of instructions received from your Excellency. We pass over the state of these unfortunate persons, unjustly condemned to an imprisonment much more oppressive than that which is inflicted on galley slaves. Sentiments of humanity, so rare in our times, will we hope incite your Excellency to consider the fact, and give a remedy, by restoring to freedom persons so unfortunate though honest, and for whom all good citizens will willingly render themselves the guarantee.

(signed) *Geo. Carlo Grech Delicata,*

And 47 others.

Enclosure 3, in No. 16.

Memorial of *Maltese* to the Governor of *Malta.*

(Translation.)

Excellency, Valletta, 22 July 1849.

Encl. 3, in No. 16. The undersigned Maltese, most faithful subjects of Her Britannic Majesty, having heard that a small fraction of the people are endeavouring to obtain, by memorial, your Excellency's permission to land all that rabble, who after the surrender of Rome arrived in this island on Sunday the 15th instant, humbly have recourse to your Excellency, fervently praying that you will withhold permission from such people to land, as prudently and wisely you have done, from whom this population could only derive grave prejudice, both by the disorders which they might occasion, and by reason of their profligacy and the horrid impiety of their language, to the great scandal of several who have heard it when only passing near the shore where their steamer is anchored.

Therefore the undersigned Maltese, most humble servants of your Excellency, and most faithful subjects of Her Britannic Majesty, confiding in the firm resolution you have hitherto taken in reference to these fugitive people, and thanking you for an act of magnanimous justice towards the Maltese population, entrusted by Her Majesty to your wise discernment, most humbly have the honour to subscribe themselves, &c.

(signed) Notary *T. Gera,*

And 209 other individuals.

Enclosure 4, in No. 16.

The Archbishop of *Malta* to the Governor.

(Translation.)

Sir, Archiepiscopal Palace, Valletta, 26 July 1849.

Encl. 4, in No. 16. As the corruption of manners and the immoralities generated in these islands by the contact of the inhabitants with persons, who at various periods repaired hither from Italy, and who, having depraved hearts, cease not to sow amongst the youth the wicked ideas wherewith their minds are unfortunately filled, cannot sufficiently be deplored, certain it is that the most salutary and wished-for determination of your Excellency to refuse an asylum to a great number of similar beings, who, having fled from Italy, arrived here a few days since in quest of a shelter, could not but cause an universal satisfaction. I can well bear witness of this fact, and I hasten to express to your Excellency, in the best possible manner, my sincere thanks, and, as the pastor of this diocese, to convey to your Excellency the expressions of the deepest gratitude which are offered by the people of my diocese, who, by this act of sound policy and true Christian wisdom, recognize in the person of your Excellency a true father, watchful and solicitous for the welfare of his children, and who will never cease to implore, with affection, the pouring of the celestial benedictions upon your Excellency.

In thus presenting to your Excellency the grateful and thankful feelings of a population eminently catholic, I cannot forbear to intreat you to persevere in the adopted resolution not to allow at any time that wicked people, proved to be unworthy to live in their own country, should be received and lodged here. The present crisis of the political convulsions of Italy affords ground for believing that a great many individuals being in various manners compromised,

compromised, are at this moment wandering and seeking an asylum. May the Lord will that they may in any other land, distant from this, live and amend their lives. In the certitude, however, of the incalculable injury which their presence in this small country, whose language they talk, might occasion to these unhappy inhabitants, I cannot desist from reiterating my intreaties that, under no circumstance, people of such cast should be admitted into these islands.

With feelings of consideration and grateful thankfulness,

I have, &c.

(signed) *P. M. Archbishop of Malta.*

Enclosure 5, in No. 16.

LIST of PASSENGERS arrived at *Malta*, 25 July 1849, at 8. 30 P.M., by the English barque "Michelina," Luigi Fleri, Master.

NAME.	Profession.	Country.	Passport, from whom.	Destination.	REMARKS.
Cesare Bugiatto	Apothecary	Bassano	American Consul at Rome	Malta and America	Visa of the English Vice-consul at Civita Vecchia.
Giuseppe Salvatori	Bricklayer	Capralora	ditto	ditto	
Giacomo Levi	Merchant	Modena	ditto	ditto	
Giovanale Trimigliuzzi	Servant	Benevento	ditto	ditto	
Luigi Castellani	Carpenter	Faenza	ditto	ditto	
Giuseppe Leva	Rider	Pavia	ditto	ditto	
Francesco Vertuani	Groom	Ruigo	ditto	ditto	
Paolo Zanardi	Sculptor	Milano	ditto	ditto	
Luigi Pellegrini	Gardener	Brescia	ditto	ditto	
Agostino Frangipani	Shoemaker	Cisena	ditto	America	
Tito Broghini	Brazier	Aresso	ditto	ditto	
Ambrogio Savazzi	Painter	Mantova	ditto	ditto	
Federico Campanella	Advocate	Genoa	ditto	ditto	
Gio. Batta. Cambiaso	Proprietor	ditto	ditto	ditto	
Giacomo Bethami	Bricklayer	Roveretto	ditto	ditto	
Pietro Modenesi	Ship-builder	Ferrara	ditto	ditto	
Giovanni Masutta	Clerk	Treviso	ditto	ditto	
Paul Filiberto	Mechanician	Mantova	ditto	Malta and America	
Lorenzo Landini	Goldsmith	Florence	ditto	America	
Giuseppe Spazzini	Bricklayer	Como	ditto	ditto	
Nicola Grimaldi	Cart-driver	Rome	ditto	ditto	
Frco. Novelli	Proprietor	Florence	ditto	ditto	
Gasparo Battinoni	Merchant	Treviglio	ditto	ditto	
Giuseppe Battinoni	ditto	ditto	ditto	ditto	
Luigi Battinoni	ditto	ditto	ditto	ditto	
Giovanni Maragliano	Servant	Genoa	ditto	ditto	
Marzio Coviello	Artificer	Benevento	ditto	ditto	
Anselmo Venerucci	ditto	Urbino	ditto	ditto	
Giovanni Zerlotto	Servant	Verona	ditto	ditto	
Antonio Bertoni	Artificer	Piegaro	ditto	ditto	
Giuseppe Dareni	Musician	Venice	ditto	ditto	
Giuglio Bizzugli	Shoemaker	Longiano	ditto	ditto	
Scipione De Marchis	Bricklayer	Mantua	ditto	ditto	
Giovanni Tosi	Oilman	ditto	ditto	ditto	
Siro Guarneschelli	Carpenter	Bronni	ditto	ditto	
Eduardo Ricci	Tailor	Ancona	ditto	ditto	
Luigi Belluzzi	Artificer	Rome	ditto	ditto	
Ciriaco Guerreri	Advocate	Genoa	ditto	ditto	
Angelo Massimi	Coachman	Nareti	ditto	ditto	
Eugenio Pizzicaria	Bricklayer	Rome	ditto	ditto	
Luigi Ghelardini	Hatmaker	Faenza	ditto	ditto	
Michele Mercurio	Artificer	Salerno	ditto	ditto	
Giulio Beltrami	Bricklayer	Piedmont	ditto	ditto	
Lorenzo Camerini	Goldsmith	Roghera	ditto	ditto	
Francesco Vecchi	Courier	Rome	ditto	ditto	
Luigi Toffali	Merchant	Bassano	ditto	ditto	
Cesare Marchesini	Ironsmith	Mantua	ditto	ditto	
Antonio Casara	Druggist	Vicenza	ditto	ditto	
Leonard Sanmarchi	Ironsmith	Bologna	ditto	London.	
Joseph Torricelli	Traveller	Mantua	ditto	Malta.	
Marco Anto. Canini	Literato	Venice	ditto	Malta and London.	
Antoine Pallavicini	Tailor	Monza	ditto	Malta.	
Eugene Vigo	Butcher	Milan	ditto	ditto.	
Philippe Labar	Professor of music	ditto	ditto	ditto.	
Martin Franchi	Sculptor	ditto	ditto	ditto.	
Charles Masi	Printer	Ancona	ditto	ditto.	
Leopoldo Cavalli	Shoemaker	Trevi	ditto	ditto.	
Charles Ruggi	Barber	Malta	ditto	ditto.	
Jean Macco	Pianoforte-maker	Milan	ditto	ditto.	

(*continued*)

List of Passengers, &c.—*continued.*

Name.	Profession.	Country.	Passport, from whom.	Destination.	Remarks.
Stefano Ventri	Merchant	Augusta (Sicily.)	American Consul at Rome	Malta.	
Jerome De Grandi	Violinist	Milan	ditto	ditto.	
Charles Battinoni	Merchant	Treviglio	ditto	London.	
Lucian Spagnoli	Coffee-house Keeper	Vicenza	ditto	Malta.	
Giuseppe Pandolfi	Student	Rome	ditto	ditto.	
Pasquale Rames	Tailor	Messina	ditto	ditto.	
Felix Irlandi	Trader	Verona	ditto	ditto.	
Jean Bap. Zannoni	ditto	Bergamo	ditto	ditto.	
Achille Tauch	Advocate	Bellinzone	ditto	ditto.	
François Regolini	Lithographer	Cremona	ditto	ditto.	
Jean François Parravicino	Proprietor	Milan	ditto	ditto.	
Allessandro Boidi	Student	ditto	ditto	ditto.	
Faustini Corti	ditto	Mantua	ditto	ditto.	
Luigi Tommasi	Proprietor	Rome	English Consul at Rome	Malta and Constantinople.	
Alexandre Pavoni	Druggist	Messina	ditto	Malta.	
Jean Baur	Shoemaker	Poland	ditto	ditto.	
Antoine Simonetti	Painter	Rome	ditto	ditto.	
Giovanni De Santis	Merchant	ditto	ditto	Malta and Constantinople.	
Henry Wartmann	Architect	Poland	ditto	Malta.	
Charles Radici	Botanist	Novetrate	Bavarian Consul	Bavaria.	
Antoine Brambilla	Carpenter	Milan	ditto	ditto	Visa of the English Vice-consul at Civita Vecchia.
Gennaro Muzii	Advocate	Naples	Neapolitan	Malta	
Angelo Mazzetti	Tailor	Bologna	Roman	ditto	
Bartolommeo Lovera	Courier	Fossano	Sardinian Consul	ditto	
Ercole Bossi	Sculptor	Lodi	ditto	ditto	
Giuseppe, his brother	(Not arrived)		ditto	ditto	
Giovanni Antolini	Carpenter	Mantua	ditto	ditto	
Giacomo Sturgeneggi	Baker	Switzerland	Roman Republic	Malta and America	
Giacomo Trachsler	Rope-maker	ditto	ditto	ditto	

Enclosure 6, in No. 16.

Passport of *G. Giustiniano.*

(Translation.) No. 28.

Pass
No. 30.

Description.

Age, 21.
Height, tall.
Hair, brown.
Forehead,
Eyebrows,
Eyes,
Nose,
Mouth,
Chin,
Face,
Complexion,
Particular marks,

Profession.
Worker of mosaic.

Signature of bearer,

Direction of Police in the Province
of

On the departure from Ancona of Giusti Giustiniano, native of Modena, to repair to Malta, to be there employed in agricultural labours, he is furnished with the present attestation of his good political and moral conduct; and the civil and military authorities are requested to let him freely pass, and to afford him aid and protection in case of need.

Given at Ancona, the 20th June 1849.

(signed) *Boyen.*

Issued in consequence
(L. S.) (signed) *Eugenio Pusetti,*
Gratis. Assistant of Police.

Seen at the British Consulate.
Good for Corfu and Malta.

Ancona, 20 June 1849.

No. 2181.

(L. S.) (signed) *Geo. Moore,*
Gratis. Consul.

Ancona, 23 June 1849.
Seen. For the Commissary,
Commissariat of Health at Ancona. (signed) *P. Mamini.*

No. 369.

Seen at the General Direction of Executive Police.
Good for Malta.
Corfu, 27 July 1849.

(L. S.) (signed) *Ull. Lawrence,*
Gratis. Director-general.

— No. 17. —

(No. 109.)

COPY of a DESPATCH from Acting-Governor Colonel *Rice Jones* to Earl *Grey*.

(Answered, 6 November 1849, No. 200, page 65.)

Malta, 18 October 1849.

My Lord, (Received, 27 October 1839.)

No. 17. Acting Governor Colonel Rice Jones to Earl Grey, 18 October 1849.

REFERRING to the subject of the Neapolitan deserters and political refugees who have at different periods arrived in these islands, I think it right to state, for your Lordship's information, what has taken place here since the last report of his Excellency the Governor, dated the 13th of August last, No. 93,* the receipt of which was acknowledged in your Lordship's despatch of the 20th ultimo, No. 191.†

* Page 36.

† Page 65.

On the 18th of August, 51 of the deserters from the Neapolitan army, who had, as stated in the report above referred to, returned to this port on the 10th, in the brig "Gennaro," left Malta for Athens in the Greek brig "Aristides," A. C. Capsopulo, master.

On the 29th August, the quarantine physician having reported that, besides three of the persons on board the "Gennaro," who had been previously landed in the Lazaretto on account of illness, several others were suffering from various maladies, all the sick were landed in the Lazaretto, and medical assistance provided for them by the Neapolitan Consul.

While they were there, I took an opportunity to visit the Lazaretto unexpectedly, and had the satisfaction to find them as well accommodated as circumstances would permit, and complaining of nothing but not being allowed to go at large during their unavoidable detention.

On the 24th September, seven more of the passengers on board the "Gennaro" sailed for Athens in the Greek brig "Eftechia," A. Nicolotto, master.

On the 29th September, 60 others sailed for Syra, on board the Greek brig "Elpis," S. Sarpiotis, master; and on the 3d of October, 70 more sailed for the same destination, in the Greek brig "Elpis," G. Brazzano, master.

On the 9th of October, the wife of one of the deserters in the Lazaretto was sent to the civil hospital, she being near the time of her confinement.

On the 13th, one of the deserters sailed for Previsa, on board the Ionian brig "Bella Pula," N. Elefterio, master, and the remainder, 20 in number, are still convalescent, and under medical treatment.

On the 18th September, the Sardian brig "Concordia," Prospero Castagliola, master, arrived from Genoa, bound to Athens, having on board 160 refugees, Hungarians, Poles and Italians. The vessel entered this harbour, in consequence of having sprung a leak during her voyage. Eighteen of the refugees who had been reported sick were landed in the Lazaretto, and placed under medical treatment, the Sardinian Consul having employed a physician to attend them.

On the 24th of September, three of the refugees from the "Concordia" sailed for Athens on board the Greek brig "Eftechia," A. Nicolotto, master; and the "Concordia" having undergone the necessary repairs, the remaining 157 re-embarked, and the vessel sailed for Athens on the 28th September, by which time the sick had nearly all recovered.

On the 25th September, Her Majesty's steam-packet "Antelope," Lieutenant Smith, commander, arrived from the Ionian Islands, having on board M. Manin and General Pepe, with their respective suites. Having passports from the Ionian Government, they were all allowed to land under guarantee, with the understanding that they were to take their departure at the earliest opportunity.

M. Manin and party sailed on 2d October, on board the French Government steamer "Nile," Lieutenant Rey, commander, for Marseilles; and General Pepe and suite also sailed on the same day, on board the French Government steamer "Léonidas," Lieutenant Brehier, commander, for Italy and Marseilles.

I have, &c.

(signed) *Rice Jones.*

— No. 18. —

(No. 114.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 24 January 1850, No. 213, page 68.)

No. 18.
The Right Hon. R. More O'Ferrall to Earl Grey, 21 November 1849.

Malta, 21 November 1849.
(Received, 10 December 1849.)

My Lord,

I HAVE the honour to enclose copies of a correspondence, with one enclosure, between Mr. Temple, Her Majesty's Minister at Naples, and Colonel Jones.

Hon. Mr. Temple, 29 August 1849.
Colonel Jones, 17 October 1849, one Enclosure.

As Mr. Oronzio Sparano came here without a passport, and, as he states, without means, I request your Lordship's instructions as to how he is to be disposed of when the term of his imprisonment expires; and from what fund the expense of his maintenance, or the cost of his passage is to be defrayed, and whether he can be granted the protection of a British passport.

I have, &c.
(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 18.

Sir,

Naples, 29 August 1849.

Encl. 1, in No. 18.

ORONZIO SPARANO, who has taken refuge on board the "Prince Regent," and has been sent to Malta by the "Thetis," Captain Codrington having consented to convey him there, is a young man who has sufficient means of subsistence not to became a burthen to the Maltese Government; and, indeed, who desires to proceed from Malta to some other country, where he may remain in peace.

I trust, therefore, your Excellency will not refuse to receive him. He went originally, with the King's sanction, to fight for the Lombards, and having passed through Rome on his return, was unfortunately induced to take service there, and would be marked as an object of special punishment by this Government if he were to be arrested. His family are respectable, and he is the only remaining member of it.

I trust I may not have to trouble your Excellency any more upon similar cases.

I have, &c.
(signed) *W. Temple.*

His Excellency
The Right Honourable R. More O'Ferrall,
&c. &c. &c.

Enclosure 2, in No. 18.

Sir,

Palace, Malta, 17 October 1849.

Encl. 2, in No. 18.

WITH reference to your Excellency's letter of the 29th of August last, addressed to the Right honourable R. More O'Ferrall, I have the honour to state, that Oronzio Sparano was, on the arrival here of Her Majesty's ship "Thetis," immediately permitted to land. He made several fruitless attempts to leave the island, being prevented, as he himself repeatedly represented, for want of means to pay his passage.

I regret to add, that an indictment was presented in Her Majesty's Criminal Court on the 3d instant against Signor Sparano, charging him with the theft of a silver spoon and fork; the result of the trial, which took place on the 12th instant, being a sentence of imprisonment for four months, as your Excellency will perceive by the Crown Advocate's report, copy of which I herewith enclose.

I have, &c.
(signed) *Rice Jones.*

His Excellency
The Honourable William Temple,
&c. &c. &c., Naples.

Enclosure

Enclosure 3, in No. 18.

(No. 1754. Translation.)

To the Honourable *William Sim*, Esq., Acting Chief Secretary to Government.

REPORT of the Crown Advocate of the Decisions of the Royal Criminal Court for the Island of *Malta* and its Dependencies.

Date.	Individual Indicted.		Indictment.	Finding on the Indictment.	Sentence.	Observations.
	Name.	Country.				
12 Oct. 1849 Indictment, No. 45.	-- Oronzio Sparano, son of the late Matteo, above 18 years of age.	Salerno -	-- Guilty of the theft of a silver spoon and fork, of the value of seven scudi and seven tari, committed by him on the 1st October 1849, or about that time, to the injury of Roberto Barbara, in the city of Valletta, or of "Stellionate."	-- The Court declared the guilt of the prisoner, Orazio Sparano, as regards the "Stellionate," mentioned in the indictment to be proved.	- - The Court condemned, under the circumstances of the case, Orazio Sparano to imprisonment for four months at his own expense.	-- Committed for trial on the 2d October 1849, indicted 3d October 1849.
Sitting Judge, Dr. *G. P. Bruno.*						

12 October 1849.

(signed) *Ant° Micallef*,
Crown Advocate.

— No. 19. —

(Separate.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 12 December 1849, No. 202, page 67).

Malta, 24 November 1849.

My Lord, (Received, 7 December 1849.)

No. 19.
The Right Hon. R. More O'Ferrall to Earl Grey, 24 November 1849.

I request your Lordship's permission to draw attention to several statements made by members of Parliament at public meetings, and in the public press, charging me in the strongest language, with inhumanity towards political refugees who came to Malta in the course of the last summer.

The virulent invective applied to me far exceeds the amount of animadversion to which the acts of public officers are liable, the charges having been made without any accurate knowledge of facts in my absence, and without power on my part of reply even through the press, will I trust, justify the request I have to make, that full information may be laid before Parliament, and every opportunity afforded for establishing the charges, in the hope that those who have hazarded assertions may be induced to make a public retractation when the truth is established.

The approval by Her Majesty's Government of my conduct, in refusing to admit 500 persons into the fortress of Valletta, who had recently been in arms in various parts of the Continent, renders any defence of that act unnecessary by me; but as a public duty may be discharged with harshness and unnecessary severity, of which I have been publicly accused, I trust your Lordship will not deem me too sensitive in wishing to be relieved from such an imputation, by placing on public record a formal denial of the charge.

The despatches referred to in the margin, detailing events as they occurred, contain many passages which prove my anxiety to alleviate the inconvenience which a refusal of permission to land must entail on persons in crowded ships after a long voyage; but I submit that such inconvenience would have been of short duration if the masters of the vessels which brought them had complied with the law, and taken them at once to the ports which they ultimately reached, but which I had no power to enforce.

17 May, No. 56, p. 9.
25 May, No. 61, p. 18.
29 May, No. 63, p. 18.
11 June, No. 69, p. 19.
10 July, No. 80, p. 21.
12 July, No. 82, p. 23.
17 July, No. 85, p. 24.
17 July, No. 86, p. 28.
25 July, No. 87, p. 29.
13 Aug., No. 93, p. 36.
18 Oct., No. 109, p. 41.

My public despatches contain no allusion to any acts in my private capacity which tended to alleviate the sufferings of those unfortunate persons; but after the imputations that have been cast upon me, I feel it to be my duty to state, both on public

public and private grounds, that I gave instructions to the Superintendent of Quarantine and Marine Police to supply the wants of those in distress at my expense, without saying from whom the relief came, and that he fulfilled my instructions; that I also contributed in money to the relief of those whose circumstances were depressed, and offered to pay the passage to England for others whose position rendered them unwilling to accept aid in any other shape.

I am sure your Lordship will do me the justice to believe, that it is with great pain and reluctance that I am forced into this line of defence; but I feel that no approval of a public act would exonerate me from the blame of neglecting the duty of common charity.

I beg leave to draw attention more particularly to my despatch of the 17th May, No. 56,* acquanting your Lordship with the arrival of 238 persons in the steamer "Peloro" from Palermo, most of whom were native Neapolitan deserters. My letter addressed to Prince Satriano caused these persons to be placed under the protection of the Neapolitan Consul; and having been furnished with necessaries from the fund of 470 *l.* remitted by Baron Riso to the Sicilian agent at Malta for their use, they sailed on the 31st May, in the brig "Gennaro," with French passports for Algiers. After a cruize of ten weeks they returned to Malta, not having been permitted to land in any port.

* Page 9.

My despatch of the 13th August, No. 93,† announces the return of these persons in the "Gennaro," in which they had sailed on the 31st May. It also states my refusal to Prince Petrulla, to deliver them to a ship of war of the King of Naples, against their consent, and without a guarantee in writing that their lives and liberty would be preserved.

† Page 36.

It was in consequence of my refusal to deliver them up to the King of Naples, that they remained in this port from the 10th of August to the date of Colonel Jones's despatch of the 18th October, No. 109.‡

‡ Page 41.

Colonel Jones reports, that he followed the same course with regard to these men in September, which I had adopted in May; they were still under the care of the Neapolitan Consul, and were maintained by him at a cost of 6 ¼ *d.* per head per day; the sick were accommodated in the Lazaretto, as they had been in May, while those in health were detained on board the "Gennaro," to retain the legal obligation on the vessel.

Colonel Jones reports his visit to the Lazaretto, and the satisfactory state in which he found the sick.

I refer more particularly to this case, because it has been made the grounds of the most virulent attacks on me, contrasting the humanity of Colonel Jones with my severity.

Colonel Jones has assured me that he saw, with deep regret, the use that had been made of his name by a portion of the local press, and by those who endeavoured to excite sympathy for the refugees by a misrepresentation of facts at Malta and in England; and, to mark more strongly his disapproval of such conduct, he refused to contribute to a subscription for the relief of the deserters in the Lazaretto, promoted on the plea of charity by certain persons at Malta.

I trust your Lordship will excuse my having addressed you a public despatch on a matter apparently personal; I feel that the private character of individuals in Government employment affects their public utility, and that if I were capable of treating the unfortunate with inhospitable harshness and inhumanity, I should be unworthy to represent her Majesty, or discharge any public duty in any part of her Majesty's dominions.

I have, &c

(signed) *R. More O'Ferrall.*

— No. 20. —

(Separate.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall*, to Earl *Grey*.

(Answered, 24 December 1849 (Separate), page 67.)

No. 20.
The Right Hon. R. More O'Ferrall to Earl Grey, 29 Nov. 1849.

Malta, 29 November 1849.
(Received, 8 December 1849.)

My Lord,

I HAVE the honour to transmit herewith a Return* of all the foreigners resident at Malta on the 17th November 1849.

* The Enclosure is omitted, being of too voluminous a nature to be printed.

2. The Return describes each individual by name, age, sex, country and profession; the date of their arrival in Malta, distinguishing those who came with passports from those who came without them; it states whether they were here on former occasions, and their conduct while resident, with a column for observations.

3. The question of reception or refusal of refugees at Malta, has excited so much attention, that I think it desirable to furnish your Lordship with full information, to which easy reference may be made; and if your Lordship approves of it, I will continue the Return monthly, so long as your Lordship may deem it useful.

4. Your Lordship will perceive, by the Return now transmitted, that the police regulations have not been enforced with rigour; that many have been allowed to land and reside who came here without passports; that the permission has been almost invariably accorded to persons calling themselves political refugees, even when there were reasonable grounds for believing that the name of political refugee was assumed as a cloak to cover crimes against society, for which they would be amenable to the law in every civilized country; the only exception dates from the 2d July 1849, extending to those who had been guilty of offences against the law of Malta, during a previous residence in this island.

5. For many years past, Malta has been an asylum for persons persecuted for political opinions in the adjoining states of the continent and in Sicily; and their conduct at Malta has been the subject of communications between my predecessors and the Secretaries of State.

6. On the breaking out of the recent revolutions of the continent, and on the granting of the amnesty at Rome, on the accession of Pius IX., the political refugees left Malta, occasionally returning for a short time, and again proceeding to the continent or to Sicily; so that Malta became the point from which persons of various parties or opinions issued to take part in the strife, or returned for refuge, according as their party suffered or prevailed.

7. This circumstance drew the attention of various governments to Malta, and it was believed that on more than one occasion they had secret agents here, under the name of refugees, to watch proceedings. It is believed that in some instances persons suffered in Sicily for being supposed to have acted as spies at Malta, previous to the outbreak of the revolution.

8. The jealousy engendered by the residence of refugees of all opinions, who had facilities for carrying on correspondence at Malta not afforded in any other country, is supposed on various occasions to have been the cause of the establishment of a strict quarantine on Malta vessels, for it could not be justified by the state of health of the island, or the laxity of quarantine regulations at Malta. The trade and revenues of the island have suffered much from the capricious infliction of quarantine, which no remonstrance could remove.

9. It was felt in the time of my predecessors, that the residence of many idle persons, imbued with strong opinions on the theory of government and the rights of the people, was not conducive to the contentment of the Maltese population among whom they resided. The identity of language and habits, and the vicinity of Malta to Italian states, afforded facilities for the propagation of views and opinions of Italian nationality, which, so far as Malta is concerned, were inconsistent with British interests; the recollection of the period when Malta was an Italian state was revived; the young and the thoughtless were incited to look forward to the regeneration of Italy, of which Malta might again become a more important part, from its position and strength in the Mediterranean.

10. It is true that such opinions never found favour among any numerous or influential class of the Maltese, but they excited the attention of the Government,

and caused alarm among the prudent fathers of families, who feared the corruption of their sons by the propagation of revolutionary opinions, which many of them had seen exemplified in the conduct of the French during the period they occupied Valletta.

11. The necessity for fortifying the hands of Government, to enable it to remove improper persons, raised doubts for the first time as to the authority of Governors to send foreigners from the island, and consequently the Order in Council of 1843* was issued, authorising Governors of Malta and Gibraltar to give orders through the Superintendent of Police, and to enforce them by imprisonment, of any foreigner who should refuse to quit the island after due notice. A notice was issued through the police in November 1844, cautioning all foreigners against writing in the newspapers, and from meddling with the internal affairs of Malta.

12. On my arrival in Malta at the close of 1847, there were some foreigners here, who paid little attention to the conditions on which they were permitted to reside, and continued to be connected with the public press. I called your Lordship's attention to the subject in my separate Despatch of 1 July 1848, but did not think it necessary to proceed on the authority your Lordship then gave me, as I had not been able to procure any positive proof against the individual, and the publications were of so low and scurrilous a character as almost to be unworthy of notice, except for the pain and annoyance caused to private families.

13. I have stated, that during the years 1848 and the early part of 1849, Malta was occasionally resorted to by foreigners of all opinions, almost without restriction; but when the reaction commenced on the continent, and that Malta was likely to be made the permanent residence of some persons who had endeavoured to give practical effect to the theories they had preached during their former residence, and that many others of a similar stamp were likely to resort to it, I communicated my anxiety and my opinion to your Lordship, that the residence of a large number of young, idle, (many of them) dissolute and unprincipled men, would be most injurious to the peace of the island, and would tend to render difficult, if not dangerous, the concessions I had recommended, and which your Lordship was disposed to submit for the sanction of Her Majesty. This opinion was fortified by the concurrence of many fathers of families, who expressed alarm at having their sons exposed to such contamination in a crowded town, which affords so many opportunities of intercourse that it is impossible for young men to avoid it.

14. I was fully aware of the strong sympathy existing in the public mind of England for those who fight bravely for liberty against oppression; that hospitality to the victims of opinion has long been exercised with great benefit to the unfortunate, and without injury or inconvenience to the peace or morals of England; but at Malta the case is widely different, for the reasons suggested in paragraph 9, and many others which are obvious. If circumstances in England gave rise to the same objections to the residence of a large number of political refugees which exist at Malta, I have no doubt that the Alien Act, passed for a temporary purpose in 1848, and for a limited period, would obtain a more permenent existence.

15. After giving to this subject the fullest and most anxious consideration, I am decidedly of opinion, that the permanent residence of political refugees at Malta is dangerous to its peace and good government; and that it would be difficult, if not impossible, to make or enforce such regulations as would render their residence safe or harmless.

16. The power vested in the Governor by the Order in Council of 1 February 1843,* is a dangerous power to trust to individual responsibility, and is capable of being grossly abused; the Governor who exercises it must rely on the reports of others; and it tends to establish or sanction that odious system of private denunciation, which few men would like to act on, and which sooner or later would justly rouse a cry of public indignation. There are, occasionally, cases so notorious, that an order to leave the island would be merely giving effect to public opinion; but such cases are rare, and much evil may be accomplished by

* The Order in Council of 1st February 1843, will be found printed in an Appendix to this Paper, page 70.

by foreigners before the order for expulsion would receive the sanction of the public.

17. I have frankly expressed my opinion on this important subject. I entreat your Lordship to give the matter full consideration, and favour me with instructions for my guidance in the reception and treatment of foreigners in this island.

I have, &c.
(signed) *R. More O'Ferrall.*

— No. 21. —

(Separate.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey.*

(Answered, 15 December 1849 (Separate), page 67.)

Malta, 29 November 1849.
(Received, 8 December 1849.)

No. 21.
The Right Hon. R. More O'Ferrall to Earl Grey, 29 Nov. 1849.

My Lord,

I HAVE the honour to transmit to your Lordship three Reports from the Superintendent of Police relative to refugees, whose case has excited some attention, and which may be referred to hereafter.

1. The Messrs. Magliano, alias General Mezzacappa, and Sig. Musto, refugees from Rome.
2. Messrs. Giuseppe Madia and Giuseppe Scalia, from Naples.
3. M. Camillo La Lumia.

I have &c.
(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 21.

REPORT of the Circumstances attending the Arrival and Residence here, and Departure hence, of Messrs. *Magliano* and *Musta,* Refugees from Rome.

Encl. 1, in No. 21.

MESSRS. Luigi Magliano and Gaspare Musto, two of the refugees who arrived here in the French Government steamer "Lycurgue," on the 15th July last, were allowed to land on sick certificates from the quarantine physician, the former on the 17th, and the latter on the 21st July, under the condition that they should depart elsewhere the moment that their health would permit them; and on the 23d of the above-mentioned month I had the honour to transmit the before-cited certificates, together with nine others of a similar nature, to the Government.

On the 2d of August last, I again forwarded to Government certificates as to the state of health of Messrs. Magliano and Musto, and reported that they had expressed to me their anxiety to leave the island as soon as they possibly could. Their health, however, not being sufficiently re-established to permit their undertaking the voyage, they remained here under medical treatment. On the 20th ultimo, however, I had the honour to report, by letter, to the Acting Chief Secretary to Government, that all the refugees who had been allowed to disembark from the French Government steamer "Lycurgue," having recovered their health, had departed, with the exception of two of them, viz. Messrs. Magliano and Musto; but as those gentlemen had been repeatedly seen attending at the opera, and promenading about the streets, I inferred that of course their health was sufficiently re-established, and had called upon them to act up to the condition under which they had been allowed to remain here, by departing from this island, as the other persons who had been similarly situated had already done. On such my intimation to them, they transmitted to me an application, accompanied by a medical certificate, requesting a prorogation of their leave of residence, in order to complete their cure, which application and enclosure I forwarded to Government on the above-mentioned date, begging to be furnished with instructions whether they were to be allowed to reside any longer in this island. On the 24th ultimo, in answer to the above-mentioned report, I received a letter from the Acting Chief Secretary to Government, directing me to call on Messrs. Magliano and Musto to produce medical certificates of their being actually under treatment for the specific complaints under which they might be severally labouring, and to state the probable time which might be required before they were sufficiently recovered to admit of their quitting the island, and ordering me to submit such certificates, if obtained, and if they should appear to me satisfactory, for the consideration of the Government; and further, that it would be desirable that the certificates should be obtained from, or at least corroborated by, the police physician. In consequence, on the 26th ultimo, I had the honour to transmit to the Government, in compliance with the above order, certificates from the police physician on the subject, from which it appeared that Mr. Musto was actually in a convalescent state of health, and could within six days from that

that date safely quit the island; and that Mr. Magliano was quite well, and that therefore there was nothing to prevent him from leaving the island immediately; and I then likewise begged instructions how I was to deal with the above two gentlemen. In answer to the above my report, the Government was pleased to direct, by Acting Chief Secretary's letter of the 29th of the same month, that Mr. Musto be allowed six days, from the 26th ultimo, for the recovery of his health, in terms of the medical certificate which accompanied my report, and that Mr. Magliano should be called upon to depart, the period for which he was permitted to remain here having, by the complete recovery of his health as certified by the police physician, expired.

On this Messrs. Magliano and Musto presented an application to the Officer then administering the Government (Lieutenant-general Ellice), praying that they might be allowed to remain here till the departure of a Greek vessel, in which they had taken passage for Greece, promising, that should not the said vessel sail before the departure of the French steamer of the 12th of the present month, they would go by that steamer. And the Officer administering the Government, not wishing to go to extremes with them, was prepared to accede to their request. These gentlemen, however, of their own accord embarked on board the French Government steamer "Leonidas," on the morning of the 2d instant, and departed for Genoa.

Although Mr. Magliano always signed his name in the books of my office and in his correspondence with me Magliano, and made no declaration in my office or to me that he had been known by any other name, and although the passport he brought with him from Rome was in that name, still shortly before his departure I discovered that he had been styled and was known by some of his friends as General Mezzacappa; and in fact on his departure he gave the latter name to the officer of Marine Police.

I cannot conclude without bearing testimony to the very good and regular conduct of both Messrs. Magliano and Musto while they were resident here; and they both testified at different times, both to me and to the Police Adjutant, Caruana, their gratitude for the hospitality which had been afforded to them.

(signed) *Fred. Sedley*,
Inspector.

Police Office, Valletta,
28 November 1849.

Enclosure 2, in No. 21.

REPORT of the Circumstances attending the Arrival, and the Residence here, of Messrs. *Giuseppe Madia* and *Giuseppe Scalia*, Neapolitan Refugees.

Encl. 2, in No. 21. MESSRS. Giuseppe Madia and Giuseppe Scalia, natives of the Kingdom of Naples, arrived here on the 25th of August last, by the French Government steamer "Tancredi," from Naples, unfurnished with any passport whatsoever. Notwithstanding, however, their want of passports, the Government was pleased to allow them to land on the day of arrival, and to remain in Malta, "till the date of departure of the next steamer for Marseilles;" but ordering, that if these gentlemen should find it necessary to apply for further leave to remain here, such application must be made through me.

On the 8th of September following, I called upon these gentlemen to carry into effect the condition under which they had been allowed to land, by quitting this island by the steamer for Marseilles of the 12th of that month; but they stated to me that it would be impossible for them to depart by that steamer, and requested me to procure for them a prolongation of their permission to remain here. I desired them to put their request into writing, which they did, on the 10th September, alleging that they could not go away, because their baggage had been detained by the Neapolitan police, and begging to be allowed to remain here till the arrival of that baggage, which they expected by one of the coming steamers, assuring me that nothing should be wanting on their part to hasten the sending to them their effects by their relations at Naples. In consequence, they were allowed to remain for a short period to await their baggage as they applied for. After the lapse of upwards of one month, finding that they did not appear to be preparing to depart, I again called upon them to learn when they purposed to leave this island, and on the 19th of October last they addressed another letter to me, requesting a prorogation of their leave of residence on the same score as in the former application. This letter I had the honour to submit for the consideration of the officer administering the Government (Colonel Jones) on the 20th October, requesting instructions, as I feared that the recovery of their baggage might take some time before effected. On the 24th October, I received a letter from the Acting Chief Secretary to Government, directing me to call on Messrs. Madia and Scalia, to state to me a definite term for their further residence, at the expiration of which they must be prepared to quit the island, whether they received their expected baggage or otherwise, and to submit the same for the consideration of Government. Consequently I called on them as directed, and on the 26th of the same month they addressed a letter to me expressing a wish to remain here two months more, in order to arrange somewhat their affairs; which letter I submitted to Government on the same day, requesting instructions for my guidance. On the 29th of the same month, I received a letter from the Acting Chief Secretary to Government, acquainting me that Messrs. Madia and Scalia might be permitted to remain until the 5th November ensuing, but that whether they should receive their baggage before that period or otherwise, they must be prepared to depart by the French steamer, which would leave

Malta

Malta on or about that day. I communicated this order to the parties concerned, and explained to Mr. Madia (Mr. Scalia being unwell) the difference of their position from that of other foreigners allowed to reside here for an indefinite period, and not on sufferance for a short time, as they were. Mr. Madia insisted on my furnishing him with a copy of the letter of the Chief Secretary to Government to me, concerning himself and Mr. Scalia, which, of course, I declined doing. After this, Messrs. Madia and Scalia addressed a letter to the Officer administering the Government (Lieut.-General Ellice), who, not wishing to go to extremes with those gentlemen, allowed them to fix a further specific time for their departure, which they promised me should be by the French steamer of the 22d November, without fail, and the Officer administering the Government was pleased to consent to their remaining till that date. On the 22d November, I again called on Messrs. Madia and Scalia, urging them to fulfil their promise, when they stated that they could not do so, as they had not the means; and on the 23d of that month they addressed a letter to me, requesting to be allowed to remain in this island till the 2d of December next, when they would depart for Genoa. This application I forwarded to Government on the 23d instant, and on the 24th I received a letter from the Acting Chief Secretary to Government, informing me, by directions of his Excellency the Governor, that it appears that Messrs. Madia and Scalia have received permission on several occasions to prolong their residence in this island, and requiring me to acquaint them that if they do not depart, as they themselves propose, by the steamer of the 2d of December, they will be subjected to the law applicable to their case; and further, that no more petitions from them, claiming to remain in Malta, will be attended to. I accordingly made the necessary communication to them, and they expressed to me their full intention of taking their departure on the above-mentioned date, viz., 2d December next.

(signed) *Fred. Sedley,*
Inspector.

Police Office, Valletta,
28 November 1849.

Enclosure 3, in No. 21.

REPORT on the Circumstances attending the Arrival here and Departure hence of Mr. *Camillo La Lumia.*

MR. Camillo La Lumia arrived here on board the Neapolitan velacciere "I due Gemelli," coming from Corfu, on the 1st September last. Encl. 3, in No. 21.

The Marine Police sent his passport to me for my inspection; when it occurred to me, from the similarity of the name, that it might be the same person who, on the 27th April 1847, had been brought, by the Marine Police, before the judicial magistrates, on the charge of having clandestinely disembarked in this island, who had been, by the sitting magistrates, committed to take his trial before Her Majesty's Criminal Court, and who, by that court, had been condemned on the 30th of same month to pay a fine of 30 dollars. I therefore returned the passport to the Superintendent of Quarantine and Marine Police, informing him, that if this Mr. La Lumia were the person who had been tried and condemned as above, I considered he ought not to be allowed to land without a special authority from Government, in terms of the order of Government addressed both to that officer and to me, dated 2d July 1849, directing, among other provisions, that no person be in future allowed to land who, during a previous residence, has in any way infringed the laws of the island, or been subjected to the surveillance of the police. Later on the same day, the Superintendent of Marine Police sent to my office, accompanied by an officer of Marine Police, the Mr. La Lumia who had arrived, with a view to its being ascertained whether he was the person I supposed he might be. He was immediately recognized as the identical individual who had been tried and condemned, as above, in April 1847; and he was sent back to the Marine Police office; I having refused, under the above-cited instructions, to accept any guarantee for him without having an express order from Government to that effect.

The Superintendent of Quarantine and Marine Police having communicated to Mr. La Lumia that he could not be permitted to land and remain on shore, he himself, by letter, and also through his friends, applied to the Officer administering the Government to be allowed to land. On the 3d September last, Messrs. Giuseppe Scieluna and Sons applied to the Officer administering the Government, tendering their guarantee for Mr. La Lumia, if he might be allowed to land; and I received instructions to inform Messrs. Scieluna and Sons, that it was not from any want of a guarantee that Mr. La Lumia had been refused permission to land, but on account of his having infringed the laws of the island, and having been tried and condemned by Her Majesty's Criminal Court here during a previous residence; but that if anything could be said in his favour, it would be better were his Consul to communicate with the Government through the Chief Secretary; which information I duly gave to Messrs. Scieluna and Sons, and reported to the acting Chief Secretary my having so done on the 5th September.

Mr. La Lumia then transmitted to Government a private medical certificate, to the effect that it was necessary that he should land on account of the infirm state of his health. The Quarantine Physician, in consequence, was sent to visit Mr. La Lumia, in order to ascertain whether his health was such as to require his being landed; and that officer, after

after due examination, certified that there was no such necessity for his being allowed to land.

Mr. La Lumia made several other attempts to change the decision of Government in regard to him, and received, on the 10th September 1849, the following reply from the Acting Chief Secretary to Government.

Signor *Camillo La Lumia* of Palermo.

Sir, Valletta, 10 September 1849.

The Officer administering the Government having had under his consideration your petition, presented this day, directs me to inform you, that there is nothing therein contained which can in any way alter his decision on your case, namely, that he cannot permit your landing and residing in Malta.

I have, &c.

(signed) *W. Sim,*
Acting Chief Secry to Govt.

Mr. La Lumia, having thus satisfied himself that he would not be allowed to land here, transhipped himself, with the concurrence of the Marine Police, on board the English schooner "Susan," and on the 25th of September last left this island in that vessel for Corfu.

Fred. Sedley,
Inspector.

Police Office,
Valletta, 28 November 1849.

— No. 22. —

(Separate.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey.*

Malta, 5 December 1849.

My Lord, (Received, 26 December 1849.)

No. 22.
The Right Hon. R. More O'Ferrall to Earl Grey, 5 Dec. 1849.
* Page 65.
† Page 66.

I have the honour to acknowledge the receipt of your Lordship's despatch of the 10th * ultimo, marked "Confidential," enclosing copies of a correspondence which has passed between the Foreign Office and Colonial Department on the subject of refugees who had taken refuge at Malta.

2. Among the papers I regret to observe a letter from the Princess Belgiojoso,† addressed to Lord Palmerston. I make no comment on that letter, but I take the liberty to enclose copies of her correspondence with me, which refutes some of her assertions, accompanied by an extract from the official report ‡ of the Superintendent of Quarantine and Marine Police, which fully contradicts all her other assertions in the most positive manner.

‡ 20 August 1849, page 53.

3. As it is probable that the Princess Belgiojoso has not confined her communications to Lord Palmerston, and that they may be made the foundation of increased misrepresentation of my conduct in Parliament, I trust your Lordship will supply information to contradict them, and that copies of her correspondence and the report of the Superintendent of Quarantine and Marine Police may be transmitted to Lord Palmerston, and circulated with any other confidential papers which may be printed for the information of the members of Her Majesty's Government.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 22.

Copy of Letters from Princess *Belgiojoso* to the Governor.

My Lord, 10 August 1849.

Encl. 1, in No. 22.

Having received no answer from the Intendant, Mr. Benavida, to whom I asked if you would allow me to call on you, for the purpose of returning you my best thanks for your hospitality, I do not presume to take it for granted that you will receive me.

If

If it is no trouble for you to appoint me an hour, I shall hasten to call upon you for to express to you the sense of gratitude which I feel for your kindness towards me.

Believe me, &c.

Via Massamusut, Chez Ellul. (signed) *Christine Trivulce of Belgiojoso.*

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10 August 1849.

Mr. More O'Ferrall presents his compliments to the Princess Belgiojoso; would very much regret she should take the trouble of expressing thanks where they are not deserved.

If Mr. More O'Ferrall can render any service to the Princess Belgiojoso, he will be very happy to call at her house to take her commands at any hour she may please to appoint.

Saturday Morning. No date on the original.

My Lord, Date is 18 August 1849.

You have been so good as to allow me to ask you any favour, and I have really one to ask you.

Will you be so good as to appoint me an hour? If you should prefer coming at once to me, I never go out before half-past four in the afternoon.

Allow me, &c.

(signed) *Christine Trivulce of Belgiojoso.*

Sir, 24 August 1849.

The kindness and charity you showed me the other day, when I talked to you of my unfortunate countrymen, encourages me to put some of them under your protection.

Here I include a certificate from one of the most honourable victims of the Italian revolutions, who personally knows the two refugees, Captain Visi and Mr. Baratta, an artist; these two are in the absolute impossibility to depart, having no papers but those identifying their persons and certifying their military rank, but the English passport, delivered to them by Mr. Freeborn, which inspired them with the utmost confidence. These two gentlemen would start to-morrow if they had the means; and first of those means is a passport. I entertain no doubt that you will derogate for this time from the line of conduct which you marked to yourself, on account of the character of these two refugees, and of their being utterly destitute of other papers except the English passports.

Permit me now, Sir, to recommend them, and two or three more of them, for pecuniary help. The two of whom I write, another (Colonel Rulli and his wife), Mr. Greco and his eight children, a widow, Mrs. Mulfari of Rome, and a Captain Lanzetta, altogether six grown-up persons and eight children, are nearly starving, and some of them now starting for a long, perhaps everlasting, exile. None of us are rich now, nor can we help each other like for the past. I rely upon your kind-heartedness, and hope that since your duty as a public man did not allow you to provide them with a home, your generosity as a private one, nay, as a Christian, will move you to sooth at least the pangs of their poverty.

They say you are going to-day; pray don't go without leaving an order sure to be obeyed.

Believe me, &c.

(signed) *Christine Trivulce of Belgiojoso.*

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24 August 1849.

Mr. More O'Ferrall presents his compliments to the Princess Belgiojoso; regrets that he has no authority to grant British protection through a passport to any one who is not a British subject. Whenever that rule has been deviated from, it has only exposed the individual to disappointment, and the passport to disrespect.

Mr. More O'Ferrall has directed Mr. Fitzgerald, his private secretary, to call on the Princess, and place in her hands a small contribution from him in aid of any other subscription for the relief of the persons mentioned in her note.

No date on the original.

Sir, Date is 24 August 1849.

Allow me to thank you for my countrymen for the help you have condescended to give them; and excuse me if I add, that I must have misunderstood your words the other day.

I thought you were so good as to tell me, that if those refugees were personally known to somebody here, who could warrant they were honest and well-bred people, only emigrated on account of politics, you would desist for once from your line.

Thankful as I was for your condescension, I don't think I abused of it, since out of 60 and some who wanted passports, I succeeded in procuring them a start, and only these two are left.

I must have misunderstood your words; and I was very wrong if I did, since I gave these two hopes, which are now deluded.

Receive again my best thanks, and allow me to sign myself,

Yours, &c.

(signed) *Christine Trivulce of Belgiojoso.*

MEMORANDUM of Mr. *Fitzgerald* on His Excellency's Conversation with the Princess *Belgiojoso*, on the 18th of August 1849.

18 August 1849.

The Princess Belgiojoso stated that there were nine or ten Italians who wished to go on to Greece, but could not get their passports viséd or acknowledged. The Governor stated that they had better go back to Civita Vecchia and on to Corsica; but it was impossible for him, without inconsistency, to visé disallowed passports, such as Mr. Freeborn's; that would be an attempt to confer British protection on persons not entitled to it. He stated that he had no wish to inconvenience any refugee; he would even supply them with provisions, &c., if necessary. The Princess asked whether some pass might not be given to these persons. To this the Governor replied, that if the Princess herself or any respectable persons would certify that these persons were not guilty of any crime, but merely emigrating for political reasons, he would endeavour to stretch a point, and furnish them with some aid in prosecuting their journey.

(signed) *F. F.*

The following Queries were framed on the Letter of the Princess *Belgiojoso* to Lord *Palmerston*.

It will appear by the Answers to the Queries, that all the statements of the Princess which are not disproved by her own letters to Mr. More O'Ferrall, are disproved by this paper.

Query 1.—On what day, and at what hour, did the Princess Belgiojoso arrive in Malta harbour?—*Answer.* The Princess Belgiojoso arrived in Malta on the 5th August 1849, at 5 h. 30 min. A. M., on board the French government steamer "Mentor," from Marseilles and Italy.

2. Was she refused admittance?—No, although her passport was irregular.

3. State what occurred on her arrival?—When the steamer "Mentor" was admitted to pratique, all the passports were as usual taken to the office of the Inspector of Police, in order to be examined, and the regular list, with the names and condition of the passengers, made for the information of his Excellency the Governor; in which transaction of business I was present with the Inspector; and as no foreigner is allowed to land without giving the guarantee required by law, about 9 o'clock A.M. Mr. Giuseppe Farrugia presented himself at the Police, and stated that he was sent by his brother, Mr. Lorenzo Farrugia, the Ottoman Consul at Malta, to give the required guarantee for the Princess Belgiojoso and her suite; when he was informed by me, that the Princess, her daughter and servants were at liberty to land at once, but that Mr. Pastori, who was included in the same irregular passport with the Princess, was not allowed to land; and an order to that effect was sent to the adjutant of Marine Police; the Princess, however, did not avail herself of the permission, as Mr. Pastori was not allowed to land.

4. About what hour did she land?—About 12 o'clock.

5. Was she detained or delayed on board the vessel by any of the officers of the port?—Not one moment after the guarantee was given, about 9 o'clock, as stated in answer No. 3.

6. If detained, by whose order, and on what authority?—She was not detained or impeded.

7. Is there any order or regulation in favour of women and children arriving in the Port of Malta without regular passports?—Yes, on the 16th of July last an order was given by his Excellency the Governor, that females and children, although with irregular passports, might land, with the usual guarantee.

8. Was any difficulty or objection made to the landing of the female servants of the Princess Belgiojoso?—No objection whatever was made to the landing, not only of the female servants, but even of the male servants, as explained in answer to Query No. 3.

9. Was any objection made to the landing any man on board the vessel with Princess Belgiojoso, in consequence of his passport being irregular, or any other cause?—Yes; Mr. Pastori, who accompanied the Princess, was not allowed to land, in consequence of his name having been in the same irregular passport of the Princess Belgiojoso, he not being a male servant.

10. Was any man allowed to land in consequence of the representation of the Princess Belgiojoso, that he was part of her suite, and necessary to her protection and comfort?—Yes; about 12 o'clock I was sent for by his Excellency, and was ordered to go on board of the French steamer "Mentor," to state to the Princess, if she had not landed, that as she stated

stated in her letter to the Governor, that Mr. Pastori was one of her suite, he was ordered to be admitted to land, although the passport in which his name is included is irregular, and that the irregularity of the passport was the ground of his being refused, but that an exception is always made in favour of ladies with irregular passports. On my way to the Marine at 12 o'clock, to go on board the "Mentor," with the above message from his Excellency to the Princess Belgiojoso, I was informed that the Princess was landed, and was at the Victoria hotel; and, having called on the Princess there, I delivered the message as above mentioned, when the Princess Belgiojoso, in the presence of Mr. Farrugia, thanked me for the permission granted, and said that she would not fail from thanking personally the Governor for the favour; and I sent an order to the marine police to allow Mr. Pastori to land, Mr. Farrugia having given the required guarantee.

11. State, as correctly as you can, the hour the Princess Belgiojoso landed, and the hour her suite landed?—The Princess, her daughter and the governess landed about 12 o'clock, and Mr. Pastori landed before 2 o'clock. I may be permitted to say, that if the servants of the Princess did not land, they had the permission to do so, about 9 o'clock A. M., after the guarantee had been given by Mr. Farrugia, and there was no delay on the part of the port authorities.

12. State the date of arrival of the barque "Michelina," and the number of passengers on board?—The barque "Michelina" arrived on the 25th July 1849, late in the evening, having 87 refugees on board from Rome.

13. State the date of the departure of the passengers by other vessels, and to what places?—19 refugees sailed on board the Greek brig "Monaria" for Spetzia, on the 2d August, eight days after her arrival; 4 sailed on board the French government steamer "Leonidas," for the Levant, on the 5th August; 55 sailed on board the Greek brig "St. Spiridione," for Patrass, on the 13th August; and 9 sailed on board the Greek brig "Aristide," for Athens, on the 18th August. Total, 87.

14. Did you give any assistance to those persons in food or money, and at whose expense? Was any assistance given by other persons?—Availing myself of the authority given to me by his Excellency the Governor in writing, on the 19th July 1849, and repeated in subsequent conversations with his Excellency, I gave a quantity of biscuit for the voyage of the 55 refugees who sailed for Patrass on the 13th August, at his Excellency's expense; other persons from Valletta sent soup and bread on board the "Michelina," whilst in the harbour; and I beg to add, that, according to the law of the island, the master of the vessel, or the owner, is bound to maintain the persons on board; therefore, if the refugees were really destitute, the port officers would have enforced the law if necessary.

15. Did one of the men on board the "Michelina," or on board any vessel containing refugees, drown himself in a fit of despair?—No person drowned himself from any vessel having refugees on board, nor did any one die even from natural causes.

16. Was any assistance given in aid of the refugees to go to Greece?—Yes, pecuniary aid was given at his Excellency's expense, and a present of a considerable sum of money was given to the Princess Belgiojoso for the passengers of the "Michelina," by the Earl of Hardwick.

As to the correctness of the answers given to the above 16 queries, if required, I am ready to make any formal declaration.

(signed) *E. Bonavia,*
Superintendent of Quarantine and Marine Police.

Department of Quarantine and Marine Police,
Valletta, 1 December 1849.

Enclosure 2, in No. 22.

REPORT of the Superintendent of Quarantine and Marine Police on the English Barque "Michelina," with 87 Refugees.

Encl. 2, in No. 22.

ON the 25th July 1849, late in the evening, the English barque "Michelina," Luigi Fleri, master, arrived in Malta, having several refugees from Rome on board, and was ordered to moor temporarily to the buoy at the entrance of the great harbour, and the master was told, for his information and guidance, that the refugees on board would not be allowed to land; guard-boats of the marine police were stationed alongside the vessel to prevent any person from landing.

This is the vessel referred to in the letter of the Princess Belgiojoso to Lord Palmerston. *O'F.*

On the following morning the master of the "Michelina" was sent for at the Marine Police Office, in order to make the usual deposition, and was ordered to bring with him the passports of all the passengers he had on board, which having been accordingly done, it was then ascertained that the number of the refugees from Rome on board were 87, all with regular passports, and a list of their names, countries and condition was made for the information of his Excellency the Governor.

It was again explained to the master of the "Michelina," that the refugees from Rome would not be received nor allowed to land, and that he was either to take them himself to whatever place he pleased, or to send them by any other opportunity he thought proper, as soon as practicable; and it was at the same time explained to him, that although the vessel under his command was in pratique, yet no person whatever was as yet allowed to land from her, and for which purpose the "Michelina" was strictly guarded by the marine police.

The master of the "Michelina" was allowed to enter the harbour to be able to make the necessary arrangement respecting the mode of disposing of the refugees brought by him, but unfortunately disputes of the most serious nature having arisen between Mr. Fleri, the master of the "Michelina," and the owner of said vessel, Mr. Mirabita, that great negligence, and no steps whatever were taken on their part to facilitate the departure of the refugees brought by the "Michelina."

On the 30th July, it having been reported that two of the refugees on board were unwell, the quarantine physician was sent on board to visit them, and having reported that they required medical treatment on shore, they were allowed to land at the lazzaretto, with the understanding that when cured they were to return again on board of the "Michelina," or procure a passage in another vessel; but having been cured after a few days, they returned on board their own vessel.

Through the friends of the refugees on board the "Michelina," and the co-operation of this Department, four of the refugees took their passage on board the French steamer "Leonidas," and sailed for the Levant on the 5th August; 19 others sailed for Spetzia on the 2d August on board of the Greek brig "Monaria."

On my having reported to his Excellency the departure of the 19 refugees for Spetzia, his Excellency desired me to try if I could find any vessel which would take some 20 more, at his own private account, but in my name; but after due inquiry I reported that there were no vessels then which would take them.

On the 13th an opportunity offered to embark 55 of the refugees by the "Michelina," on board of the Greek brig "San Spiridione," for Patrass; and although, through their friends, they had procured enough means to defray the expenses, both for the passage and maintenance (of those who could not pay the expenses themselves), having had large presents of money, on an application having been made to me to contribute something towards their provision for the voyage, I provided them with upwards of 400 lbs. of the best biscuit, according to previous instructions from his Excellency the Governor.

I beg to observe, that the portion of the 55 refugees who sailed for Patrass on board the brig "San Spiridione," which had been stated that they had no means to maintain themselves, whilst in the harbour, on board the "Michelina," were furnished with soup and other provisions daily from Valletta.

One of the refugees on board of the "Michelina," a Mr. Muzri, having written to me a private letter, previous to his departure, stating that when he arrived in Malta on board the "Michelina," he was in the hope of finding a friend, whom he named, who would have supplied him with a small sum of money, but that unfortunately said friend had left the island before the arrival of the "Michelina," and requested some pecuniary assistance, which I accordingly gave him according to previous instructions.

The remaining nine refugees brought by the "Michelina" were embarked for Athens, on the 18th August, on board of the Greek brig "Aristide."

During the stay in the harbour of the English barque "Michelina," having the refugees on board, the vessel has been constantly watched both by day and night.

(signed) *E. Bonavia,*
Sup^{t} of Quar. and Mar. Police.

Department of Quarantine and Marine Police,
Valletta, 20 August 1849.

REPORT of the Superintendent of Quarantine and Marine Police on the Greek Brig "Ruben," containing 53 Refugees.

ON the 16th July 1849, the Greek brig "Ruben," J. P. Ruben, master, arrived in the Great Harbour from Civita Vecchia, having on board 53 refugees from Rome; and as every one of them had irregular passports, they have not been permitted to land.

The refugees were acquainted that they would not be received in Malta, and the master was informed that he was either to take them away again, after landing the portion of coals he had for this island, or to send them by any other vessel or vessels he pleased, with the least possible delay.

The passengers on board the "Ruben," by direction of his Excellency the Governor, had also been made acquainted that there were two opportunities, by steamers, one for England, and the other for the Levant, both to sail on the 18th; and two of them took their passage on board the "Ripon," for England, and four on board the "Ville-de-Marseilles," for the Levant.

On the 19th, it having been reported that some of the refugees on board the "Ruben" had been unwell, the quarantine physician was requested to visit them; and having reported that they required to be treated on shore, they were allowed to land, having procured the guarantee required by law.

On the same day, 19th, I received a note from his Excellency the Governor, stating as follows:—

"Mr. Bonavia,—It has been just now represented to me, that a man on board the Greek "brig was very ill yesterday, whose case may require attention. I am sure you will do all "that humanity suggests to alleviate their position; and you are authorized, on my private "account,

" account, but in your own name, to supply them with any comforts they may require, as " some of them may be without means.

(signed) " *O'F.*"

" To the Superintendent of Marine Police."

On the receipt of which note, although the sick persons had already been landed, the Adjutant of Marine Police was sent on board of the " Ruben " to inquire into the case, and it was ascertained that the person alluded to in his Excelleucy's note was neither sick, nor in want of any assistance; but that he got into a violent rage, because he was not allowed to go on shore. I inquired personally from the master of the " Ruben " as to the state of the passengers on board; and he assured me, in the presence of other persons, that they were all provided with some means.

Having reported this circumstance to his Excellency the Governor, his Excellency repeated to me what he had stated in his note, but in general terms, viz., That whenever I saw the real necessity of assisting, in a pecuniary manner, any of the poor refugees, I was to do so in my own name, and apply then to his Excellency's Private Secretary for reimbursement, of which authority I availed myself when I considered that the cases did really require it.

Whilst the master of the " Ruben " was discharging the portion of his cargo, consisting of coals, on the 21st July, he procured a passage for 32 of the refugees on board of the Greek schooner " Panermiotti," for Athens.

The Greek brig " Ruben," sailed for Salonices on the 27th July, and took with him five of the refugees; and the remaining seven, who, previous to the departure of the " Ruben," had been embarked on board of the Ionian schooner " Penelope," for Patrass, sailed on the 30th July.

During the stay in the harbour of the Greek brig " Ruben," having the refugees on board, the vessel has been constantly watched, both by day and night.

(signed) *E. Bonavia,*
Superintendent of Quarantine and Marine Police.

Department of Quarantine and Marine Police,
Valletta, 2 August 1849.

REPORT of the Superintendent of Quarantine and Marine Police, relative to the Sardinian Brig " Concordia," with 160 Refugees.

ON the 18th September 1849, the Sardinian brig " Concordia," Prospero Castagnola, master, arrived in the Great Harbour from Genoa, bound to Athens, having 160 refugees on board, Hungarians, Poles and Lombards.

The vessel entered the harbour, owing to its being in a very leaky state, in consequence of the bad weather suffered on the 15th September.

As the vessel required immediate repairs, permission was given to the master to tranship the passengers on board of another vessel, until his own would be repaired; but the master not having found any vessel for that purpose, and being anxious to begin the repairs of his vessel, he procured several large pontoons, got them fitted up properly, and transhipped the refugees on them for a few days.

The refugees by day were allowed to land on the new mole at Singlea, on the Corradino side, at the back of the place where their pontoons were moored, and had been watched by the marine police, both by day and night.

An application having been made to Government by the master of the " Concordia," supported by a recommendation from the Sardinian Consul, and accompanied by a medical certificate, stating that 18 persons amongst the refugees on board required medical treatment on shore, they were immediately landed in the lazzaretto, and properly attended to; and on the 27th September, a day previous to the departure of the brig " Concordia," by direction of the medical gentleman who attended them, were all re-embarked, their vessel being ready for sea.

On the 24th September, whilst the vessel was under repairs, three of the refugees brought by the " Concordia " took their passage for Athens, on board of the Greek brig " Eflechia," and the remaining 157 sailed for their destination on board of said brig " Concordia," on the 28th September 1849.

(signed) *E. Bonavia,*
Superintendent of Quarantine and Marine Police.

Department of Quarantine and Marine Police,
Valletta, 28 September 1849.

— No. 23. —

(Separate.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

No. 23.
The Right Hon. R. More O'Ferrall to Earl Grey, 6 Dec. 1849.

(Answered, 4 January 1850, No. 209, page 68.)

Malta, 6 December 1849.

My Lord, (Received, 26 December 1849.)

I HAD the honour to transmit to your Lordship, in my despatch of the 29th November,* marked "Separate," by the overland mail which left Malta on the 30th, three reports of the Inspector of Police; No. 2 relating to two Neapolitans, and No. 3 to one Sicilian who arrived here in the months of August and September during my absence in England.

* Page 47.

2. On the morning of the 1st instant, the two Neapolitans, named Giuseppe Madia and Giuseppe Scalea, presented a memorial, copy of which I have the honour to enclose, together with copy of my letter to Mr. Temple, dated the 1st instant, making inquiry as to the facts stated in their memorial, and I directed them to be informed that they were at liberty to remain at Malta until the receipt of Mr. Temple's answer.

Encl. 1, 30 Nov. 1849, page 56.
Encl. 2, 1 Dec. 1849, page 57.

3. They declined to remain on that condition, and left this island by the French government steam-vessel "Sesostris," on the 3d instant, bound to Genoa with regular passports.

4. I have also the honour to enclose copy of a letter from Ruggiero Settimo in favour of Michele Savignone, a Sicilian referred to in the accompanying report of the Inspector of Police, with copy of my answer to Ruggiero Settimo, of which I trust your Lordship will approve.

Encl. 3, 29 Nov. 1849, page 57.
Encl. 4, page 58.
Encl. 5, 5 Dec. page 59.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure 1, in No. 23.

(Translation.)

To his Excellency the Right Honourable *Richard More O'Ferrall*, Governor of Malta, &c. &c. &c.

May it please your Excellency, Valletta, 30 November 1849.

Encl. 1, in No. 23.

GIUSEPPE Madia and Giuseppe Scalea, of Naples, set forth the following facts, which they have not been able to be admitted to the honour of stating by word of mouth. That deeming themselves insecure at Naples, they were recommended to the excellent minister, Temple, who, proving himself ever the worthy representative of the magnanimous nation to which he belongs, received them with much kindness, caused them to be conveyed on board the English ship "Prince Regent," and delivered to them a letter, addressed to your Excellency. That they having arrived at Malta on the 25th August, and not having been fortunate enough to find your Excellency, immediately after they set their foot on shore presented themselves to the Honourable Colonel Jones, who then acted in your stead, and they delivered into his hands the letter alluded to.

That, having been questioned by the Honourable Colonel Jones, as to the time they intended to remain in Malta, they answered, that, as in shifting from the English ship on board the French steamer, their respective portmanteaus were purloined by the men of the Neapolitan police, they would not proceed elsewhere before being enabled to recover them from Naples; and the Colonel being persuaded of such circumstances, permitted their remaining here, on condition that they should, every fortnight, present themselves in the police office, in order to obtain the renewal of their permission.

That, owing to the deplorable state of matters in Naples, and the continued arrest of persons which are there made, the memorialists have not been able to recover their portmanteaus, through the co-operation of their relations and friends.

That, at the expiration of a month from their arrival, the local police commenced to molest them with injunctions to take their departure, disregarding their assurances that they have not as yet received their effects, nor the means wherewith to repair elsewhere.

That, in continuance of the solicitations of the police, they were, on the 6th of the expiring month, enjoined to proceed to the east, and they, in order to be rid of the injunction, addressed a petition to General Ellice, at the time acting governor, who entertained their prayer with that kindness which is his own, and so much distinguishes him, and directed the police to offer them no further molestation.

That, a few days after your Excellency's arrival at this island, the inspector reverted to his solicitations, and demanded to know when the memorialists intended to leave the island,

island, and they replied, that, contrary to their wish, they still were in their original position; but that in consequence of the vexations offered to them, they hoped to leave the island by the steamer which moves hence on the 22d.

That, on the 21st instant, the inspector having summoned the memorialists before him, told them, that he had received most urgent orders from the Government, and therefore that they should absolutely be prepared to leave the island on the following day; and to their remonstrances that they were not furnished with means, it was answered, that in case of their not complying with the orders given to them within the time prescribed, they should be forcibly compelled to do so.

That, having in vain sought to speak to your Excellency, and being aware that the police would against them adopt like measures to those used a few days before your Excellency's arrival, in regard to their countryman De Feo (who, although furnished with a regular passport, after five days' staying was forced to take his departure, and being infirm on the day of the intended departure, was, by deceitful means, brought to the police office, and from thence, by dint of blows, driven on board the steamer), not being able in any manner to go away, adopted the resolution to resort to the interposition of a Maltese gentleman, who obtained from the inspector that they might remain for 10 days more, provided they formally declared, by writing, that they would absolutely depart on the 2d December.

That, lastly, before leaving Malta they asked to be allowed to present themselves to your Excellency at the public audience held yesterday, the 29th instant, to the effect of learning whether the letter in question had been delivered to your Excellency, and at the same time thanking you for the hospitality met with by them. But their endeavours remained ineffectual, the usher having twice bluntly answered them, that your Excellency could not see them.

The memorialists having given no cause of displeasure, and having conducted themselves in a manner becoming honest Italians, as the Maltese themselves may bear witness, are most grieved in having been made the sport of the persecutions of the police and uncivilly treated.

They being sure that your Excellency, adhering to the principles of justice which you have ever evinced, will vouchsafe to take cognizance of such facts. And they also pray you to cause to be made known to them whether or no the letter above alluded to has been delivered to you.

Enclosure 2, in No. 23.

Sir, Palace, Malta, 1 December 1849.

Encl. 2, in No. 23.

I HAVE the honour to transmit to your Excellency a copy of a memorial presented by Messrs. Giuseppe Madia and Giuseppe Scalea, two persons who state they came to Malta under your Excellency's protection during my absence, but I can find no document to prove that assertion.

As some individuals of bad character assume the name of political refugees to excite the pity and gain the confidence of well-intentioned persons, while, in fact, they are men of most disreputable conduct, as recently instanced in the case of Oronzio Sparano, refugee from Naples, now in Malta prison, under sentence for robbery, I take the liberty of referring the memorial of Messrs. Madia and Scalea to your Excellency, in the hope that if they are persons of good character, their friends will remit them the means of existence to enable them to prosecute their journey, or to remain at Malta if your Excellency desires it.

It is reported to me that they are not so poor as they represent themselves, and therefore I am induced to doubt the other assertions in their memorial.

I have, &c.

His Excellency the Hon. William Temple, &c. &c. &c. Naples.

(signed) *R. More O'Ferrall.*

Enclosure 3, in No. 23.

(Translation.)

Excellency, Valletta, 29 November 1849.

Encl. 3, in No. 23.

MR. Michele Savignone Vagginelli, of Palermo, although not comprised in the list of Sicilians excluded from the amnesty, is nevertheless in the position of many other Sicilians to whom the Neapolitan Government denies the power of returning to their country by refusing them passports.

Mr. Savignone came to Malta during the absence of your Excellency, and was received after promising to remain only for fifteen days; a promise which he asserts himself unable to fulfil, by the hard alternative of not knowing where to find an asylum in the event of his not accepting that which as yet has been temporarily granted to him in Malta.

A few days ago Mr. Savignone received an intimation to depart, and being unable to do so,

so, requested another prolongation, and promised again, verbally and in writing, to depart by the 2d of December next.

However, being without the means, he cannot by any possibility start, and he now manifests his first and real wish, and begs to be allowed to remain in Malta, until such time as he may be permitted to return home, or can be supplied by his father, whom, he says, he expects here from Sicily, with the necessary means for his conveyance to another country, where the exile may find the hospitality and security such as many Sicilians have enjoyed in this island.

Now I, not having hitherto personally known the Signor Savignone, have thought it regular to make inquiries as to his demeanour in Sicily, and his conduct while here in Malta, from various individuals, Sicilians who are assembled here; and having received from them the most satisfactory information, I venture to beg of your Excellency, in the event of its not being opposed to any measure which the Government of Her Britannic Majesty, worthily represented by your Excellency, has in its wisdom thought opportune to adopt in regard to the Sicilian emigrants, and provided that the local authorities have nothing charged against Mr. Savignone, that your Excellency will be pleased to grant him the permission of residence in this island which he prays through my intervention.

Your Excellency will understand that, as a Sicilian, I cannot but interest myself in all those of my fellow countrymen whose good conduct render them not unworthy of the aid due to common misfortune, and hence I am sure that your Excellency will be pleased to attribute to this the solicitations which from time to time I have addressed to you, and which your Excellency has always had the kindness to receive with benignity.

Accept, Excellency, the most distinguished expression of my gratitude, and of the profound respect with which I have the honour of signing myself,

Your Excellency's, &c. &c.

(signed) *Ruggiero Settimo.*

His Excellency the Right Hon. Richard More O'Ferrall,
Governor of Malta, &c. &c. &c.

Enclosure 4, in No. 23.

REPORT on the Circumstances attending the Arrival and Residence here of *M. Michele Savignone*, a Sicilian Refugee.

Encl. 4, in No. 23. MR. MICHELE SAVIGNONE, having arrived in the French steamer from Marseilles, was, notwithstanding the irregularity of his passport, allowed by Government to land in this island on the 20th October last, under the condition that he should not take up his permanent residence here, but should quit this island within a short period.

After the departure of the French steamer of the 12th November last, finding that Mr. Savignone had not left the island by that opportunity, I called upon him to state to me definitively how long he intended to remain, and to fix a specific day for his departure; and he then promised me faithfully that he would take his departure by the French steamer, which would leave this for Italy on or about the 22d November last.

Finding on the day above-mentioned that Mr. Savignone did not appear to have made any preparations for quitting the island, I again called upon him, urging him to fulfil his promise, by taking a passage in the French steamer which would leave this port the following morning.

On the morning of the 23d November last, I received an application in writing from Mr. Savignone, requesting to be allowed to remain here till the 2d instant, as he expected a remittance from his friends by the French steamer of the 25th November, promising absolutely to go away on that day.

On the same day upon which I received Mr. Savignone's application, I transmitted it officially to the acting chief secretary to Government, requesting to be informed if his Excellency the Governor would be pleased to accede to his prayer; and the following day, viz. the 24th November last, I received a letter from the acting chief secretary to Government in reply to mine, transmitting for my perusal a memorial addressed to his Excellency the Governor by Mr. Savignone, and directing me to call upon Mr. d'Alessandro, Ruggiero Settimo's secretary, and to state to that gentleman that Mr. Savignone had pledged his word to depart on the 22d November, but that if Mr. d'Alessandro would answer for his going on the 2d December, he would be allowed to remain till that date.

On the 28th November I had the honour to report by letter to the acting chief secretary to Government, that I had duly made the above communication to Mr. d'Alessandro, and that that gentleman had requested to be allowed till the morning of the 28th November to give me the answer, as he wished to consult with Mr. Ruggiero Settimo; further, that on the morning of the 28th November, Mr. d'Alessandro had again begged to be allowed to defer giving his answer till he should have personally waited on his Excellency the Governor, and spoken to his Excellency on the subject, which he proposed doing on the morrow at the public audience.

Finally, on the 29th November, I received a letter from the acting chief secretary to Government, in reply to my letter of the previous day, authorizing me to permit the residence

residence at Malta of Mr. Savignone, on his compliance with the regulations provided by law.

(signed) *Fred. Sedley*,
Inspector.

Police Office, Valletta,
4 December 1849.

Enclosure 5, in No. 23.

Excellency, Valletta, 5 December 1849.

I HAVE the honour to acknowledge the receipt of your Excellency's letter, recommending Signor Michele Savignone Vagginelli of Palermo. Encl. 5, in No. 2

I immediately gave directions that he might be allowed to reside at Malta unmolested, after having complied with the regulations required by law.

Your Excellency is fully aware that Sicilians have been admitted to reside here almost without restriction; and that, during the troubles of last spring, in Sicily, large numbers of all classes availed themselves of the sympathy excited by their misfortunes, and were hospitably received at Malta. Your Excellency is also aware of my efforts, through Mr. Temple, to obtain for them the benefits of the amnesty, and that many passports have since been given by the Neapolitan Consul to return to Sicily, which had been previously refused.

I have on many occasions stated to you personally, and through your secretary, Mr. Alessandro, my anxiety that the great and deserved influence which you possess with your countrymen should be employed at Malta to regulate their conduct, so as to prevent any occurrence among them which would render them amenable to the laws, or diminish the kind feeling of the population in their regard.

I am happy to say that your exertions have been for the most part successful; and I have borne my testimony to the general good conduct of the Sicilians in my communications to the Secretary of State and Her Majesty's Minister at Naples.

You will, I am sure, fully admit, that a great distinction should be made between those who are obliged to leave their country from political causes, and those who, availing themselves of a period of war and public excitement, have been guilty of crimes against society from the punishment of which they fly, and take refuge under the name of political refugees.

At the close of the troubles of Sicily, when so many arrived here, it was impossible to make any inquiry or distinction; all were received, and have remained without question; but now it is desirable to make more particular inquiry into character before persons who have never been here before are allowed to reside permanently. I think such inquiry will be found useful, as well for the interest of the Sicilians of good conduct, now resident here, as for the protection of the population of this island. I have no doubt I shall continue to receive from your Excellency both aid and advice on this matter, to which I shall be ready to give effect.

It has at all times been the practice of the British Government to grant asylum to men of all parties and opinions, who are obliged to leave their country for political acts, subject at particular periods, and under peculiar circumstances, to certain restrictions or precautions. The dense population of Malta, and its position as a fortress, does not admit of the same indiscriminate hospitality which may be practised in England without danger or inconvenience. Your Excellency is also aware that identity of language and habits renders the intercourse of foreigners with Maltese more intimate than, under similar circumstances, it could ever be with the population of England, and, therefore, affords facilities at Malta for the propagation of views and opinions adverse to our institutions, not tending to the public peace and contentment of this island.

For these reasons, a notification was made through the police, during the administration of my predecessor, and approved by the Secretary of State, cautioning foreigners resident at Malta not to connect themselves with the public press. It is expected that they shall not meddle with the internal affairs or politics of this island, and so generally conduct themselves as not to shake or offend the opinions, prejudices or habits of the population, at the same time obeying the laws which give to strangers the same protection as to natives. These are the only restrictions I desire to see imposed or enforced; and so far as I am acquainted with your Excellency's opinions, I have reason to believe you will lend your co-operation to make them effectual.

Accept, &c.
(signed) *R. More O'Ferrall.*

To his Excellency Ruggiero Settimo,
&c. &c. &c.

— No. 24. —

No. 24.
The Right Hon. R. More O'Ferrall to Earl Grey, 11 Dec. 1849.

(No. 123.)

Copy of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

Malta, 11 December 1849.
(Received, 26 December 1849.)

Encl. 1, 10 Dec. 1849, page 60.

My Lord,

I HAVE the honour to transmit to your Lordship copy of a letter, of yesterday's date, from the Superintendent of Quarantine and Marine Police, respecting the death,

death, in the lazzaretto of this island, of Ferdinando di Bartolomeo, one of the Neapolitan deserters referred to in previous correspondence, together with the certificates of the physician charged to attend him by the Neapolitan Consul, and of the quarantine physician, respecting the cause of death and the treatment of the case; and, with reference to the allegations which have been ventured upon, importing that persons temporarily permitted to remain here under similar circumstances during the last year have experienced neglect, if not cruelty, I beg to draw your Lordship's attention to the fact, that out of the very large number so received at different times and for various periods, many of them labouring under diseases of serious character, the present is the single case of death which has occurred.

I have, &c.
(signed) *R. More O'Ferrall.*

Enclosure in No. 24.

Department of Quarantine and Marine Police,
Valletta, 10 December 1849.

Encl. in No. 24. 2.

Sir,

In compliance with the directions from Government, I have the honour to enclose herewith certificates from the two medical gentlemen who attended Ferdinando di Bartolomeo, one of the Neapolitan deserters landed sick in the lazzaretto, from the brig "Gennaro," who died on the 27th ultimo, and I beg to state, for the information of his Excellency the Governor, that with the above-mentioned exception, no death whatever occurred in the Malta harbours, on vessels having refugees on board; and from the information obtained from the police office, no deaths took place on shore amongst the refugees who passed through the island during last summer.

I have, &c.
(signed) *E. Bonavia,*
Supt of Quar. and Mar. Police.

The Honourable Henry Lushington, Esq.
Chief Secretary to Government,
&c. &c. &c.

Sub-Enclosure 1, in Enclosure to No. 24.

Malta, 28 November 1849.

I, the undersigned physician, charged by the Neapolitan Consul at Malta to attend the deserters landed sick into the lazzaretto from on board the Jerusalem brig called "Germaro," do hereby certify to have attended Ferdinando di Bartolomeo, one of the above-said Neapolitan deserters, from the 1st September to the 27th November—day on which he died of tubercular consumption.

(signed) *D. Stilon.*

To Em. Bonavia, Esq.
Superintendent of Quarantine and Marine Police, Valletta.

Sub-Enclosure 2, in Enclosure to No. 24.

Malta, Valletta, 5 December 1849.

I, the undersigned, do certify that the late Ferdinando di Bartolomeo, one of the Neapolitan deserters on board the Jerusalem brig "Gennaro," which occurred at Malta on the 10th August 1849, affected with phthisis, has been duly cured by me, both on board the said ship soon after his arrival, until his landing into the lazzaretto, which took place on the 24th of the same month, and on shore up to the 31st of the same, having been thence removed into the new hospital, under the care of Dr. S. Stilon.

I do moreover certify, that during all the above-mentioned period, the aforesaid Ferdinando di Bartolomeo has been punctually provided with all the necessary remedies and means for his regular medical treatment.

And in faith thereof, I am,
(signed) *T. Chetcuti,*
Quarantine Physician.

— No. 25. —

(Separate.)

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

No. 25.
The Right Hon. R. More O'Ferrall to Earl Grey, 12 Jan. 1850.

(Answered, 25 February 1850, No. 222, page 68.)

Malta, 12 January 1850.
(Received, 26 January 1850.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 24th December last,* marked "Separate," approving of my intention to forward monthly a Return of the foreigners resident at Malta, in continuation of the Return made up to the 17th November 1849.

* Page 67.

In compliance with your Lordship's directions to transmit "a Return of the "persons who had sought refuge in Malta during the recent political troubles in "Italy, whose names are not included in the Return made up to the 17th Novem- "ber, in consequence of their having at its date left the island, or died there, it "being more especially important that full particulars should be sent with regard "to any of the Refugees who may have died in the Lazaretto;"

I have directed a Return to be made of all foreigners who arrived, departed or died in each month from the 1st of January 1848 to the end of December 1849, by which it will appear that the statement in paragraph 4 of my despatch of the 29th November 1849† is fully borne out; which Return I have now the honour to forward, complete to the 31st of October 1849;‡ a continuation will follow by next mail.

† Page 45.
‡ These Returns, from their voluminous nature, are omitted to be printed.

I beg leave to draw your Lordship's attention to the fact, that on the 1st of January 1848 there were no political refugees in the island; that in the month of September in that year they amounted to 76, and in the month of May 1849 they amounted to 681. I trust that, in my anxiety to afford a refuge to the unfortunate, I have not at any time outstepped the bounds of prudence in admitting such large numbers, which certainly caused some temporary inconvenience, and satisfied me that if large additional numbers arrived I should be obliged to discharge the unpleasant duty of refusing them.

I am happy to be able to state, in confirmation of the report made in my despatch of the 11th December 1849, No. 123,§ that only one of the refugees died at Malta, namely, Ferdinando di Bartolomeo, a Neapolitan deserter, who died of pulmonary consumption, in the Lazaretto, on the 27th November 1849.

§ Page 59.

Your Lordship is pleased to state, with regard to my application for further instructions for my future guidance in the reception and treatment of foreigners, "That your Lordship does not understand on what points I wish for more par- "ticular directions than those contained in your Lordship's despatch of the "18th June; but that if I will explain what further instructions I conceive "to be necessary, your Lordship will not fail to consider whether they can be "furnished."

My separate despatch of the 29th November‖ stated fully my opinion on the impolicy of allowing large numbers of refugees to reside at Valletta, and pointed out the serious difficulties which impede the exercise of the authority given by the Order in Council, and the instruction contained in your Lordship's despatch of the 18th June.¶ Your Lordship has not stated your dissent from the opinions I ventured to express on both subjects, and I refer to those points when I request instructions how to carry into effect the views and intentions of your Lordship and Her Majesty's Government, in such a manner as to be efficient for the object, and at the same time remove the objections I have stated to exist in the exercise of authority under the Order in Council.

‖ Page 45.

¶ Page 64.

I have, &c.
(signed) *R. More O'Ferrall.*

— No. 26. —

(Separate.)

No. 26.
The Right Hon. R. More O'Ferrall to Earl Grey, 24 Jan. 1850.

COPY of a DESPATCH from Governor the Right Honourable *R. More O'Ferrall* to Earl *Grey*.

(Answered, 25 February 1850, No. 222, page 68.)

Malta, 24 January 1850.

22 Jan. 1850.

My Lord, (Received, 2 February 1850.)

I HAVE the honour to transmit to your Lordship a copy of a letter addressed to me by Mr. Woodhouse, a resident merchant here, and head of the firm of Woodhouse & Co.

He stated to me in conversation that he had heard from the Consul at Marsala, that papers or letters of a treasonable nature had been seized at Marsala by a Police agent on board a vessel coming from Malta, which letters or papers had been sent under cover to the Mr. Whyte mentioned in his letter. Mr. Bonsignore is a refugee here, and when Mr. Newton, the agent of Messrs. Woodhouse, became the surety for Mr. Bonsignore, he was not aware of some circumstances which have since come to his knowledge.

I have on former occasions referred to the great injury inflicted on the trade and revenues of this island, by the apparently capricious infliction of quarantine by the Government of Sicily, which is, no doubt, stimulated by the efforts of refugees at Malta to disturb Sicily.

It happens that quarantine is sometimes removed for a few days, consequently vessels from Malta sail for Sicily, and when they arrive they find quarantine again enforced, which is a great injury to merchants and masters of vessels.

The conduct of Mr. Bonsignore and his companions appears to me to disentitle them to the hospitality they receive here, but, under recent circumstances, I have taken no step in the matter, waiting your Lordship's instructions.

I have, &c.

(signed) *R. More O'Ferrall.*

Enclosure in No. 26.

To the Right Honourable *R. More O'Ferrall*, Governor of the Islands of Malta and Gozo.

Sir, Malta, 22 January 1850.

Encl. in No. 26.

WE understand that complaints have been made by the Neapolitan Government to Mr. Temple, Her Majesty's representative at that court, of certain politically objectionable letters having been sent to Sicily through Mr. Whyte, of Marsala, by a young Sicilian, named Giuseppe Bonsignore, residing in this island. As Mr. Whyte was formerly our agent at Marsala, and also as Mr. Newton (our then acting agent here) gave the usual guarantee for Bonsignore required by the Police of the island on the arrival of an alien, it is possible that our names may thus in some way or another become mixed up with anything arising from this affair. We therefore beg most distinctly to declare, that Mr. Whyte has ceased to have any connexion with our establishment for more than two years, and that Bonsignore has never had any connexion with us, nor have any letters from him been forwarded through us. The guarantee was naturally given by Mr. Newton, when we had not heard anything to the prejudice of Bonsignore, he coming here to us introduced and recommended by his father, who had for a long number of years acted as our broker in purchasing wines at Castelvetrano, in Sicily. Mr. Newton has now, of course, given notice to the police of the withdrawal of the guarantee.

From the well-known high respectability of our house, and the great length of time it has been established in Sicily, where we have such large interests at stake, we do not believe that we can ever be thought to have in any manner whatever countenanced anything in the slightest degree tending to disturb or annoy the established Government of that island; still we have thought it advisable to address these observations to your Excellency in case such a contingency should ever occur.

We have, &c.

(signed) *Woodhouse & Co.*

Despatches from the Right Honourable Earl Grey, Secretary of State.

— No. 1. —

(No. 35.)

No. 1.
Earl Grey to the Right Hon. R. More O'Ferrall, 15 April 1848.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 13 April 1848.

I HAVE received your despatch of the 18th ultimo, No. 29,* with the enclosures, reporting the arrival in Malta of 45 Jesuits, who had been obliged to quit Naples, and the measures which had been adopted for their accommodation.

* Page 1.

I approve of the arrangements which you have made for the temporary residence of these persons in Malta, but I have at the same time to desire that you will afford them every encouragement to return to their homes, as I do not consider it to be desirable that they should form any permanent establishment on the island.

I am, &c.
(signed) *Grey.*

— No. 2. —

(No. 52.)

No. 2.
Earl Grey to the Right Hon. R. More O'Ferrall, 17 June 1848.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 17 June 1848.

I HAVE received your despatch of the 26th ultimo, No. 65,† reporting the circumstances under which you had allowed eight Neapolitan refugees to disembark from the French steamer "Pluton," in the island of Malta, and your refusal to grant to those individuals passports for Sicily. I have to signify to you my approval of your proceedings in this matter.

† Page 3.

I am, &c.
(signed) *Grey.*

— No. 3. —

(No. 70.)

No. 3.
Earl Grey to the Right Hon. R. More O'Ferrall, 17 July 1848.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 17 July 1848.

I HAVE received your despatch of the 1st July, marked separate,‡ requesting my concurrence in your proposal to remove from Malta an Italian named Lorenzo Borsini, who is represented to have made himself conspicuous in fomenting discontent among the people of Malta, and in editing certain seditious articles in the "Mediterraneo" newspaper.

‡ Page 5.

If you are satisfied of the truth of the statements which have been made to you respecting this person, and are of opinion that it is advisable for the public interest to remove him from Malta, my confidence in your judgment is such as to induce me without hesitation to sanction the adoption of the course which you propose.

I am, &c.
(signed) *Grey.*

— No. 4.—

(No. 160.)

No. 4.
Earl Grey to the Right Hon. R. More O'Ferrall, 2 June 1848.
* Page 6.

Copy of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 2 June 1849.

I HAVE received your despatch of the 12th May, No. 51,* reporting the circumstances under which it had been deemed expedient to remove Luigi Zuppetta from Malta, and I have to convey to you my approval of your proceedings in this case.

I am, &c.
(signed) *Grey.*

— No. 5.—

No. 5.
Earl Grey to the Right Hon. R. More O'Ferrall, 18 June 1849.
No. 56, 17 May 1849, p. 9.
No. 61, 25 May, 1849, p. 18.
No. 63, 29 May 1849, p. 18.

(No. 25, Military.)

Copy of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 18 June 1849.

I HAVE to acknowledge the receipt of your despatches of the numbers and dates noted in the margin, reporting the arrival at Malta of a number of Neapolitan deserters from the Neapolitan army, in a steamer under Neapolitan colours, escorted by a Neapolitan steamer of war; and I have to acquaint you that Her Majesty's Government entirely approve of your proceedings in regard to those individuals.

Upon the general question to which you have called my attention in your separate communication of the 2d instant, as to the impropriety of allowing Malta to become the refuge of the outcasts of all adjoining countries, I have to acquaint you, that Her Majesty's Government are very sensible of the inconvenience and danger of allowing persons of that discription to congregate in Malta, and that we shall be prepared to support you in enforcing any suitable measures which you may think it necessary to adopt, either with the view of restricting the numbers of such persons to be admitted into the island, such as aged men, women and children, or of removing those persons who may have been already admitted.

As a general rule, the existing regulation to refuse admission to those persons who cannot show that they are able to maintain themselves, should admit of no exception which cannot be justified by the particular circumstances of the case. But there cannot be a doubt that every person, or number of persons, whose presence you may deem inconsistent with the maintenance of public tranquillity, or the safety of the island, should be forthwith removed under the exercise of the powers which are for that purpose especially vested in the Governor of Malta.

I am, &c.
(signed) *Grey.*

— No. 6.—

No. 6.
Earl Grey to the Right Hon. R. More O'Ferrall, 7 July 1849.
† Page 19.

(No. 173.)

Copy of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 7 July 1849.

I HAVE received your despatch of the 11th ultimo, No. 69,† reporting the steps which you had taken for removing the impediments opposed under the authority of the Neapolitan Goverment to the return of the Neapolitan and Sicilian refugees from Malta to their own country.

Viscount Palmerston, for whose consideration your despatch was referred, has apprised me that he will instruct Mr. Temple to make a representation on this subject to the Neapolitan Government, and to ask that authority may be sent to the

the Neapolitan Consul at Malta to give passports to such Sicilians and Neapolitans as may wish to return to their own country. It will be necessary, however, that all such persons should be warned that Her Majesty's Government cannot be answerable for anything that may happen to them after their return to Sicily, or to any other part of the Neapolitan territory.

I am, &c.
(signed) *Grey.*

— No. 7. —

(No. 191.)

No. 7.
Earl Grey to the Right Hon. R. More O'Ferrall, 20 Sept. 1849.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 20 September 1849.

I HAVE to acknowledge your despatches, of the numbers and date specified in the margin, on the subject of the refugees from Rome, who were brought to Malta by the French Government steam-vessel "Lycurgue" and the Greek merchant-brig "Ruben."

Nos. 85, 86, 17 July 1849, pp. 24. 28.
No. 87, 25 July 1849, p. 29.
No. 93, 13 Aug. 1849, p. 36.

2. And I have to convey to you my entire approbation of the conduct which you have pursued with respect to the refugees in question.

I am, &c.
(signed) *Grey.*

— No. 8. —

(No. 200.)

No. 8.
Earl Grey to the Right Hon. R. More O'Ferrall, 6 Nov. 1849.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 6 November 1849.

I HAVE to acknowledge the receipt of Colonel Rice Jones's despatch, No. 109,* of 18th ultimo, reporting what had taken place since the 13th of August last, as regards the Neapolitan deserters and political refugees who had taken refuge in Malta.

* Page 41.

I am, &c.
(signed) *Grey.*

— No. 9. —

(Confidential.)

No. 9.
Earl Grey to the Right Hon. R. More O'Ferrall, 10 Nov. 1849.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 10 November 1849.

WITH reference to my despatch, No. 191, † of 20th September last, relative to the refugees who had taken refuge in Malta, I have the honour to transmit for your information the enclosed copies of the correspondence‡ which has passed between the Foreign Office and this department upon the subject.

† *Vide supra.*

I have, &c.
(signed) *Grey.*

‡ [The letter from Princess Belgiojoso, referred to as accompanying the correspondence enclosed in this Despatch (*vide* Governor O'Ferrall, page 50), will be found printed at page 66, of this Paper. The remaining Enclosures to this Despatch are omitted.]

Enclosure in No. 9.

Mr. *Addington* to Mr. *Hawes*.

Sir, Foreign Office, 22 August 1849.

Encl. in No. 9. 6 August 1849.

I AM directed by Viscount Palmerston to transmit to you, to be laid before Earl Grey, a copy of a letter from the Princess Belgiojoso, calling Lord Palmerston's attention to the position in which certain refugees from the Roman territories have been placed on their arrival at Malta, by the refusal of the authorities to allow of their landing in that island.

I am to add, that the Princess has been informed that a copy of her letter has been communicated to Lord Grey.

I am, &c.

(signed) *H. U. Addington.*

The Princess *Belgiojoso* to Viscount *Palmerston*.

My Lord, Malta, 6 August 1849.

THE English humanity and justice are too well known to the whole world, and I feel too confident in it to entertain the least suspicion that the measures here adopted by one of the British agents could be known and approved by the English Ministers. Many individuals who thought themselves compromised by the late war of Rome, found in Mr. Freeborn, the English Consul in Rome, the most generous protection. On the first day of the French occupation of the town, when the lives of many were endangered, Mr. Freeborn gave them English passports for England, Malta, America, and Constantinople. It seems that the kind-heartedness of Mr. Freeborn was not generally approved by his superiors; it seems that many complained of it, and the Governor of Malta's complaints were not the least bitter.

I have nothing to see in this matter, nor can I presume to know on which side stood the right or the wrong in this affair. But I think the only way to disentangle himself of the duties conferred upon him by Mr. Freeborn's signature, would have been for the Governor of Malta to inform Mr. Freeborn that his passports should not in future be received by him. Mr. Freeborn ought then to inform of it all the persons to whom he had previously given passports, and to take these back. But nothing of the kind was done, I can assure you. I saw Mr. Freeborn seven days ago, and he told me he could not answer that his passport would be respected at Malta, since he had heard of some difficulties already made to others similar. But he knew nothing of the resolution taken by the Governor of refusing all his passports.

I arrived yesterday, fully relying on the English justice and on my own character. I was refused admittance. Later it was granted to me alone, then to me and to my female servants, then to my servants, male or female, then at last to my secretary, and that made up my whole suite. All this took from 6 in the morning till 4 in the afternoon. But I don't mean to complain of that. My appeal is founded on more serious ground.

Here, toward the mouth of the harbour lays a merchant-ship laden with emigrants of the late Roman war, all of them provided by Mr. Freeborn with English passports for Malta; and that was enough to hinder them landing. So, here are they, this last fortnight. Land they can't, because the Governor don't allow it, on account of the irregularity of their passports; go anywhere else they cannot, because they have no other passports but Mr. Freeborn's, and their having been nullified by the Governor, no foreign Consul will put his signature to them. Remain perpetually on board the merchant ship is utterly impossible, since the captain is obliged to take his cargo and go away. When these poor people embarked they had still some scudi of their saving, which the cost of their passage and their food have long swallowed up. They live now upon the charity of some less destitute emigrants, who send them every day some bread and fruits. But all this can't last. Can I suppose that the English Government is aware of this fact, and approves it? One of these emigrants drowned himself in a fit of despair the other day. Does a similar fate await all the others, and can the English Government consciously drive them to that? I can't believe it, and therefore I write with full and heartfelt confidence. Put an end, I beseech you, to the hard, unfeeling, and unintelligent behaviour of the Malta Governor, and advise him not to order things impossible to execute. Let my poor country-people land at Malta, or give them the means to reach another place. Greece would do very well, since the Greek Government receives and helps them.

Pardon my boldness in writing, unknown as I am to you; it is the impulse of my heart that leads me to deny that any ungenerous and unjust measure can come from the English Cabinet. I think, too, that an honourable, just, and well-intentioned man can always, without thinking himself affronted, listen to any other such speaking truth: and I dared therefore to address myself to you and to the Lord Minister of the colony.

Believe, &c.

(signed) *Christine Trivulce of Belgiojoso.*

— No. 10.—

(No. 202.)

No. 10.
Earl Grey to the Right Hon. R. More O'Ferrall, 12 Dec. 1849.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 12 December 1849.

I HAVE received your despatch, marked "Separate,"* of the 24th ultimo, drawing my attention to several statements made by Members of Parliament at public meetings and in the public press, charging you with inhumanity towards political refugees who came to Malta in the course of the last summer.

* Page 43.

Having on former occasions signified to you my approval of your proceedings in dealing with those refugees, I can only repeat my entire satisfaction at your conduct in that respect, and express my regret that you should have been exposed to so much misrepresentation on the subject.

The correspondence respecting the refugees will be laid before Parliament in compliance with your request.

I have, &c.
(signed) *Grey.*

— No. 11. —

(Separate.)

No. 11.
Earl Grey to the Right Hon. R. More O'Ferrall, 15 Dec. 1849.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 15 December 1849.

I HAVE to acknowledge the receipt of your despatch, marked "Separate,"† of the 29th ultimo, forwarding three reports from the Superintendent of Police at Malta, of the circumstances attending the arrival, residence and departure of certain refugees.

† Page 47.

I am, &c.
(signed) *Grey.*

— No. 12. —

(Separate.)

No. 12.
Earl Grey to the Right Hon. R. More O'Ferrall, 24 Dec. 1849.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 24 December 1849.

I HAVE received your despatch, marked "Separate," of the 29th November,‡ transmitting a Return of all the foreigners resident at Malta on the 17th of that month.

‡ Page 45.

I approve of your having caused this Return to be prepared, and of your intention to continue it monthly. The information which you have furnished will be exceedingly useful, as the question relating to the refugees at Malta has attracted so much attention. But as the Return which you have forwarded to me applies only to those persons who were living on the island on the 17th November, I should wish you to furnish me likewise with a report of any facts which you think may be useful for me to be acquainted with, respecting those of the persons who had sought refuge in Malta during the recent political troubles in Italy, whose names are not included in this Return in consequence of their having, at its date, either left the island or died there. It is more especially important that full particulars should be sent with regard to any of the refugees who have died in the Lazaretto.

With regard to your application for further instructions for your guidance in the reception and treatment of foreigners in Malta, I do not understand on what precise point you wish for more particular directions than those contained in my despatch of the 18th June last;§ but if you will explain to me what further instructions you conceive to be requisite, I will not fail to consider whether they can be furnished to you.

§ Page 64.

I have, &c.
(signed) *Grey.*

— No. 13. —

No. 13.
Earl Grey to the Right Hon. R. More O'Ferrall, 4 Jan. 1850.

(No. 209.)

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 4 January 1850.

* Page 56.

I HAVE received your despatch, marked "Separate," of the 6th December,* respecting the two Neapolitan refugees, named Giuseppe Madia and Giuseppe Scalea, and a Sicilian refugee named Michele Savignone; and I approve of the letter which you addressed to the Sicilian Consul at Malta, on the subject of the residence of Sicilians in that island.

I have, &c.
(signed) *Grey.*

— No. 14. —

No. 14.
Earl Grey to the Right Hon. R. More O'Ferrall, 24 Jan. 1850.

(No. 213.)

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 24 January 1850.

† Page 42.

I HAVE to acknowledge the receipt of your despatch, No. 114,† of the 21st November last, forwarding copies of a correspondence between Mr. Temple, Her Majesty's Minister at Naples, and Colonel Jones respecting an Italian refugee named Oronzio Sparano, now undergoing a sentence of imprisonment at Malta, and requesting to be informed how this person is to be disposed of when the term of his imprisonment expires, from what fund the expense of his maintenance or the cost of his passage is to be defrayed, and whether he can be granted the protection of a British passport.

Having communicated with Viscount Palmerston on this subject, I have now to acquaint you, in answer to your inquiries, that, on the expiration of the term of his imprisonment, Oronzio Sparano should be removed from Malta; and adverting to the circumstances under which he was allowed to land at the island, Lord Palmerston has apprised me that, on being made acquainted with the amount of the expense to be incurred in his removal, his Lordship will give directions for the payment thereof from the funds under the control of the Foreign Office.

I cannot sanction your granting to Oronzio Sparano the protection of a British passport; but Lord Palmerston has expressed his opinion that, as this refugee was obliged to fly from the Neapolitan territory on account of his political conduct, it would not be right to send him back to any place within that territory.

I have, &c.
(signed) *Grey.*

— No. 15. —

No. 15.
Earl Grey to the Right Hon. R. More O'Ferrall, 25 February 1850.

(No. 222.)

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable *R. More O'Ferrall.*

Sir, Downing-street, 25 February 1850.

‡ Page 61.

1. HER Majesty's Government have had under their serious consideration the subject of your separate despatch of the 12th ‡ ultimo.

2. While on the one hand they are anxious not to refuse hospitality in Malta to Foreigners who are in difficulties, on the other it is their duty to take care that the interests of that island itself are not injured, and that no just cause of offence

is

is given to friendly powers, by its being allowed to become a place from whence plots may be carried on against the existing Government of any state in amity with Great Britain.

3. In furtherance of these views, I have to instruct you not to prevent the landing in Malta of persons who may seek refuge there from political troubles in any of the countries bordering on the Mediterranean, provided such persons are in a situation to comply with the law of the island, which requires that before strangers are allowed to land, they shall give security against becoming a burthen upon its resources from their inability to maintain themselves.

4. The limited size and resources of Malta render it absolutely necessary that this law should be enforced, since the community might otherwise be exposed to the endurance of a burthen which it could not bear without great inconvenience; but while this law ought to be enforced as a general rule, I should approve of your giving permission to foreigners to land, even though they should not be able to find the required security, in cases in which you may be satisfied that either from the state of their health, or from other special circumstances, the indulgence is called for by motives of humanity,

5. I concur with you likewise, as to the danger and inconvenience of allowing large numbers of strangers to be assembled within the fortifications of Valletta, or even to reside in their immediate neighbourhood. I have therefore to instruct you on this head, that when foreigners arrive in large bodies, they should only be allowed to land on condition of taking up their residence in such place as you may point out to them, at a distance from the fortifications. They should be assured, that if they violate this condition, they will be immediately required to leave the island.

6. Lastly, with respect to avoiding the offence which would arise to foreign powers from permitting plots against their governments to be carried on from Malta; you have given good reason for supposing that a want of attention to this particular naturally leads to great injury to the commercial interests of the island. But independently of this consideration, such neglect would be inconsistent with what is due to friendly states. I have therefore to instruct you on this head, to exercise the power vested in you by the Order in Council of 1st February 1843,* in order to the removal from the island of every foreigner who shall be proved to have abused its hospitality by availing himself of his residence there to carry on correspondence with persons inhabiting any of the countries bordering on the Mediterranean, with a view to the overthrow or disturbance of their existing governments, whatever those governments may be.

7. You will, in pursuance of this instruction, cause Bonsignore to leave the island, if you are satisfied that there is foundation for the charges against him alluded to in your separate despatch of the 24th ultimo.† † Page 62.

I have, &c.

(signed) *Grey.*

* The Order in Council of 1st February 1843, will be found printed in the Appendix to this Paper, page 70.

APPENDIX.

At the Court at Windsor, the 1st day of February 1843.

Present.—The QUEEN's Most Excellent MAJESTY in Council.

WHEREAS doubts have arisen regarding the authority of the respective Governors of Malta and Gibraltar to prevent the residence within the limits of their respective governments of persons not being natural born or naturalized subjects of Her Majesty, and it is expedient that such doubt should be removed; it is hereby declared, by the Queen's most Excellent Majesty, by and with the advice of Her Privy Council, that it is and shall be competent to the respective Governors for the time being of Malta and Gibraltar respectively, by any order under the hand of such Governor, to prohibit the continuance within the precincts of his Government, of any person not being a natural born or naturalized subject of Her Majesty; and in the event of any such person not departing from the precincts aforesaid within the time for this purpose limited in and by any such Order as aforesaid, it shall be lawful for any such Governor, by an order under his hand, to direct the arrest and imprisonment of any such person in any of Her Majesty's gaols, there to remain without bail or mainprize until order can be taken for his or her removal from the precincts of such Government; and it shall be lawful for the Governor aforesaid, by any other order to be for that purpose issued under his hand, to authorize the forcible removal from the precincts of such Government of any such person; and all Her Majesty's officers and others resident within Malta and Gibraltar respectively, are hereby authorized and required to be aiding as to them may respectively appertain in the execution of any such order as aforesaid. And it is further ordered, that for the purposes and within the meaning of this present Order, the person for the time being lawfully administering the Government of Malta or of Gibraltar, shall be considered as the Governor thereof.

And the Right honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *C. C. Greville.*

MALTA.

COPIES or EXTRACTS of DESPATCHES between the Governor of *Malta* and the Secretary of State for the Colonies, relating to the ADMISSION of FOREIGNERS into the Island of *Malta*.

(*Mr. Hume.*)

Ordered, by The House of Commons, *to be Printed,*
12 *March* 1850.

[*Price* 9 *d.*]

134.

Under 8 *oz.*

MALTA.

A COPY

OF SO MUCH OF

The CRIMINAL CODE of MALTA, now transmitted and lying at the Colonial Office to be laid before Her Majesty for Approval, as relates to the Punishment to be inflicted for Offences against the Respect due to Religion.

(Presented in pursuance of an Address of the HOUSE OF LORDS, dated 15th August 1853.)

Colonial Office,
18th August 1853.

FREDERICK PEEL.

Ordered to be printed 19th August 1853.

EXTRACT FROM THE CRIMINAL LAWS FOR THE ISLAND OF MALTA AND ITS DEPENDENCIES.

Book Second.—Of Crimes and the Punishment thereof.

Title I. *Of Crimes against the Respect due to Religion.*

50. Whosoever during the Performance of the sacred Functions or Ceremonies of the Church of the Country, the Roman Catholic Apostolic Church, the Maintenance and Protection of which in its present Position are secured by Law, and guaranteed by the British Crown, shall disturb the same with Violence, or with Intent to profane, whether within or without Places appointed for Public Worship, shall be punished with Imprisonment from Seven Months to Two Years.

If the Crime be committed without Violence, and without Intent to profane, the Punishment shall be Imprisonment from One to Three Months, or "Multa."

51. Whosoever during the Performance of the Functions or Ceremonies of any other Worship differing from that of the Roman Catholic Church shall disturb the same with Violence, or with Intent to profane, shall be punished with Imprisonment from Seven Months to Two Years.

If the Crime be committed without Violence and without Intent to profane, the Punishment shall be Imprisonment from One to Three Months, or "Multa."

52. Whosoever shall insult the Ministers of the Catholic Church, or those of any other Worship differing therefrom, while in the Performance of their Functions, shall be punished with Imprisonment from One to Six Months.

53. Whosoever shall threaten a Minister of the Roman Catholic Church, or of any other Worship differing therefrom, with Intent to induce such Minister unduly and unlawfully to do, or not to do, any Act appertaining to his Office, shall be punished with Imprisonment for a Term not exceeding Eighteen Months.

54. Whosoever shall publicly blaspheme or impiously execrate the Name of God, or of any of the Persons of the Most Holy Trinity, or of the Blessed Virgin, or of the Saints, or shall revile or otherwise insult or ridicule by Words, Gestures, or Exhibitions, any Article of the Roman Catholic Church, or an essential Article of the Christian Religion as received by the Generality of Christians, shall be punished with Imprisonment from One to Six Months, or with "Multa." In slight Cases, however, any of the Punishments provided for Contraventions may be awarded.

55. Whosoever shall outrage the Objects of Worship of the Catholic Church, whether within or without the Places appointed for Public Worship, shall be punished with Imprisonment from One to Three Months. In slight Cases, however, any of the Punishments provided for Contraventions may be awarded.

In Cases of grave Outrage, it shall be competent to the Court to award the Punishment of Imprisonment from Four to Six Months.

The Punishments provided in the Two preceding Paragraphs shall be awarded to any one who shall outrage the Objects of Worship of any Religious Society differing from the Roman Catholic, in Places appointed for Public Worship.

56. Whosoever shall steal from a Church of the Catholic Religion, or from any Place adjacent thereto, or from any other Place destined for the Worship of any other Communion differing therefrom, any sacred Vessels or sacred Furniture, or other Articles dedicated to Divine Worship, shall be punished with Hard Labour from Eighteen Months to Three Years.

When the Thing stolen shall be or shall contain the most Holy Eucharist, the Punishment shall be Hard Labour from Four to Six Years, to which Punishment it shall be lawful to add that of Solitary Confinement for not more than Six Terms.

57. Whenever the Acts contemplated in this Title shall be accompanied by Circumstances rendering them liable to more serious Punishments, such Punishments shall be awarded, increased by One Degree.

MALTA.

A COPY

OF SO MUCH OF

The CRIMINAL CODE of MALTA now transmitted, and lying at the Colonial Office to be laid before Her Majesty for Approval, as relates to the Punishment to be inflicted for Offences against the Respect due to Religion.

(Presented in pursuance of Address of the HOUSE OF LORDS, dated 15th August 1853.)

Ordered to be printed 19th August 1853.

(441.)